




3 1761 12061482 1



Digitized by the Internet Archive
in 2024 with funding from
University of Toronto

<https://archive.org/details/31761120614821>

REPORT
OF THE
ROYAL COMMISSION
ON
INDUSTRIAL DISPUTES IN THE PROVINCE OF BRITISH COLUMBIA
ISSUED BY
THE DEPARTMENT OF LABOUR
CANADA



OTTAWA
GOVERNMENT PRINTING BUREAU
1903



REPORT

OF THE

ROYAL COMMISSION

ON

INDUSTRIAL DISPUTES IN THE PROVINCE OF BRITISH COLUMBIA

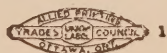
ISSUED BY

THE DEPARTMENT OF LABOUR

CANADA



OTTAWA
GOVERNMENT PRINTING BUREAU
1903



HD
5330
B8C3



1073372

ROYAL LABOUR COMMISSION

COMMISSIONERS :

The Honourable GORDON HUNTER,
Chief Justice of British Columbia,
Chairman.

Rev. ELLIOTT S. ROWE.

SECRETARY :

W. L. MACKENZIE KING,
Deputy Minister of Labour.

STENOGRAPHER :

FRANCIS W. GIDDENS,
Department of Labour.

CONTENTS

	PAGE.
Commission.....	vii
Letter transmitting Report of Commissioners.....	ix
Chapter 1—Introductory.....	1
2—Strike of United Brotherhood of Railway Employees and Sym- pathetic Strikes.....	2
✓3—Disputes in the coal mines of British Columbia during 1903..	35
✓4—Strike of coal miners at Ladysmith.....	37
✓5—Strike of coal miners at Union.....	49
6—General Conclusions.....	63

COMMISSION

APPOINTING THE HONOURABLE GORDON HUNTER AND THE REV. ELLIOTT S. ROWE COMMISSIONERS TO INQUIRE INTO AND REPORT UPON NUMEROUS DISPUTES BETWEEN OWNERS OF COAL AND METALLIFEROUS MINES AND THEIR EMPLOYEES, AND BETWEEN TRANSPORTATION COMPANIES AND THEIR EMPLOYEES IN THE PROVINCE OF BRITISH COLUMBIA ; DATED APRIL 18, 1903 ; RECORDED, APRIL 22, 1903. (SGD.) P. PELLETIER, ACTING DEPUTY REGISTRAR GENERAL OF CANADA.



MINTO (L.S.)

CANADA.

EDWARD THE SEVENTH, *by the Grace of God, of the United Kingdom of Great Britain and Ireland, and of the British Dominions beyond the Seas, King, Defender of the Faith, Emperor of India.*

To all to whom these Presents shall come, or whom the same may in anywise concern,

GREETING :

WHEREAS it appears from a report from our Minister of Labour that numerous disputes frequently resulting in strikes and lockouts between (amongst others), owners of coal and metalliferous mines and their employees, and between transportation companies and their employees, have prevailed throughout the Province of British Columbia for a considerable length of time, occasioning serious industrial depression and great public injury :

AND WHEREAS we deem it expedient that inquiry under oath should be made into and concerning such disputes and the nature and causes thereof :

NOW KNOW YE that We, by and with the advice of our Privy Council for Canada do by these presents nominate, constitute and appoint The Honourable Gordon Hunter, Chief Justice of the said Province of British Columbia, and the Reverend Elliott S. Rowe, of the City of Victoria, in said Province of British Columbia, to be Our Commissioners, to inquire into and concerning the said disputes hereintoforesaid referred to, and the nature and causes thereof.

AND WE DO HEREBY, under the authority of the Revised Statutes of Canada, Chapter 144, intituled 'An Act respecting Inquiries concerning Public Matters' ; confer upon you, Our said Commissioners, the power of summoning before you any witnesses and requiring them to give evidence on oath, orally or in writing, or on solemn affirmation, if they are persons entitled to affirm in civil matters, and to produce such docu-

ments and things as you, Our said Commissioners, shall deem requisite to the full investigation of the matters into which you are hereby appointed to examine, inquire into and investigate, to have, hold, exercise and enjoy the said office, place and trust unto you the said The Honourable Gordon Hunter, and you the Revered Elliott S. Rowe, together with the rights, powers, privileges and emoluments unto the said office, place and trust of right and by law appertaining during pleasure. And we do hereby require and direct you to report to Our Minister of Labour of Canada the result of your investigation, together with the evidence taken before you, and any opinion you may see fit to express thereon.

IN TESTIMONY WHEREOF we have caused these Our Letters to be made Patent, and the Great Seal of Canada to be hereunto affixed :—

WITNESS : *Our Right Trusty and Right Well-Beloved Cousin and Councillor, the Right Honourable Sir Gilbert John Elliot, Earl of Minto and Viscount Melgund of Melgund, County or Forfar in the Peerage of the United Kingdom, Baron Minto of Minto, County of Roxburgh in the Peerage of Great Britain, Baronet of Nova Scotia, Knight Grand Cross of Our Most Distinguished Order of Saint Michael and Saint George, &c., &c., Governor General of Canada.*

At our Government House in Our City of Ottawa, this Eighteenth day of April, in the year of Our Lord One thousand nine hundred and three, and in the Third year of Our Reign.

By command,

(Signed) P. PELLETIER,
Acting Under Secretary of State.

(Signed) E. L. NEWCOMBE,
Deputy of the Minister of Justice, Canada.

LETTER TRANSMITTING REPORT OF COMMISSIONERS

VICTORIA, July 10, 1903.

To the Honourable

Sir WILLIAM MULOCK, K.C.M.G., M.P.,

Minister of Labour,

Ottawa.

SIR,—We have the honour to transmit to you the Report of the Commission appointed to inquire into numerous disputes between the owners of coal and metalliferous mines and their employees, and between transportation companies and their employees in the Province of British Columbia.

We have the honour to be,

Sir,

Your obedient servants,

(Signed) GORDON HUNTER,
ELLIOTT S. ROWE,
Commissioners.

REPORT OF THE COMMISSION

To the Honourable

Sir WILLIAM MULOCK, K.C.M.G., M.P.,
Minister of Labour,
Ottawa.

SIR,—We have the honour to submit herewith the results of our investigations into the nature and causes of recent industrial disputes in the province of Brit-

ish Columbia, between owners of coal and metalliferous mines and their employees and between transportation companies and their employees, together with the evidence taken before us, and the opinions which we have deemed it fit to express, pursuant to the directions of the commission issued to us by His Excellency the Governor General of Canada.

CHAP. I.—INTRODUCTORY.

THE Commission entered upon its duties at the end of April, and the taking of evidence was commenced on May 4, at Ladysmith, and was concluded at Vancouver on June 15. Evidence was taken in the cities of Victoria, Vancouver and Nanaimo, and in the mining towns of Ladysmith, Extension and Cumberland (Union). The sittings of the Commission were continuous, and uninterrupted, and during the time over one hundred witnesses were examined. The Commission made every effort to hear as many parties as possible who were or might be immediately interested in the matters under investigation. In the case of the existing disputes, the employers and employees concerned, or their representatives, were examined at considerable length, and opportunity given to any persons who desired to appear before the Commission. The opinions of representative employers and workmen other than those who were parties to existing disputes were also obtained in regard to general questions affecting their relations and the settlement of labour disputes, and on matters on which the Commissioners felt it desirable to have independent testimony. Owing, however, to the limited time at its disposal, it was necessary to restrict the taking of evidence both as to the places which the Commissioners had, at the outset, hoped to visit, and the

number of witnesses examined in those localities where sittings were held. We believe, however, in regard to the disputes which were made the subject of special inquiry, the evidence obtained, and the documents and correspondence submitted to the Commission, have made us fully acquainted with all the material facts and circumstances relevant to the purposes of the inquiry, and that such additional evidence as might have been obtained by fuller investigation would have been merely corroborative of the facts disclosed.

The Commissioners have much pleasure in stating that the parties to the various controversies under investigation were represented by able counsel, who much facilitated the work of the Commission, and only regret that they were unable to hear extended argument from them as to what legislation ought to be suggested. They also desire to record their appreciation of the invaluable assistance rendered by Mr. W. L. Mackenzie King, secretary to the Commission, to whose unceasing efforts and interest in the work of the Commission is due much of any value that may be found in this report. They also feel it due to Mr. F. W. Giddens, the stenographer attached to the Commission, to acknowledge the accuracy and rapidity of his work in reporting and transcribing the evidence, owing to which the report was completed at as early a date as was possible.

CHAP. II—THE UNITED BROTHERHOOD OF RAILWAY EMPLOYEES' AND SYMPATHETIC STRIKES.

THE strike at Vancouver of certain employees of the Canadian Pacific Railway, who were members of the United Brotherhood of Railway Employees, and which commenced on February 27, had, at the time the Commission began its investigation, been on foot for a longer time than any of the strikes in the province during the present year. This strike was investigated during the sittings of the Commission at the city of Vancouver, which were held after the Commission had concluded its sittings at different places on Vancouver Island. The Commission having originally intended to visit the boundary and Kootenay districts, it was deemed advisable to conclude the taking of evidence on Vancouver Island before proceeding to the mainland, and for this reason, and the additional fact that there appeared to be greater urgency for an immediate investigation of the mining disputes, the strike of the United Brotherhood of Railway Employees, although occurring earlier than the strikes on Vancouver Island, was not taken up until the taking of evidence in regard to the latter was concluded. But its relation to, and bearing upon the other disputes, make it desirable that it should be the first to be taken up in this report.

Sources of information.

Preliminary to the taking of evidence at Vancouver the Commission required each party to the dispute to file an affidavit of documents which would cover all correspondence relating in any way to the strike. An immense mass of material was produced in response to this direction of the Commission by both the company and the strikers. Privilege was claimed by both sides for the greater part of the correspondence

produced. On examining the correspondence the Commissioners found that it contained practically all the information which was necessary to give a complete understanding of the entire situation, and of the purposes and methods of both parties to the dispute. To have formally brought out in open court even the most important of the facts established by these documents would have occupied the time of the Commission for several weeks. The parties themselves were unwilling to have much of the information publicly disclosed, but expressed their willingness to leave all of the documents in the hands of the Commission, and joint admissions were very properly made that all the documents and correspondence were what they purported to be, and it was agreed by the parties that the Commissioners might refer to such of them as they might think necessary or proper and draw inferences of fact therefrom. The agents of the telegraph companies at Vancouver and other points, were required by the Commission to produce all telegrams which had been sent or received by their offices by any parties concerned in the dispute, and which related in any way to the matters before the Commission.

Settlement of Strike before Commission.

The Commission having in its possession all the material evidence bearing on the situation, the parties requested its assistance in effecting a settlement of the dispute, and after one or two days' negotiations a settlement was arrived at, the terms of which, having been accepted by the representatives of both parties, were filed with the Commission, to be retained as a sealed document in the Department of Labour at Ottawa. This course led to the immediate termination of the original strike, and the several strikes which had taken place at

other points on the company's system, as well as the sympathetic strikes in other trades.

It was felt by the Commissioners that to have pursued the taking of evidence to other than a limited extent, while negotiations were pending, would have precluded the possibility of a settlement, and that after the settlement was effected, it was not in the public interest that the trouble should be publicly ventilated any more than was necessary. The Commission, however, satisfied itself in the first instance that the documents in its possession were sufficient to satisfactorily demonstrate the nature and causes of the strike. Our report on this strike is, therefore, based primarily on documentary evidence, but only such documents have been made use of as the Commission feel satisfied are authoritative and in the public interest to disclose.

The United Brotherhood of Railway Employees.

As has been mentioned, the strike of the employees of the Canadian Pacific Railway Company at Vancouver who were members of the United Brotherhood of Railway Employees, commenced on February 27, 1903. Immediately after, it was followed by strikes among members of the Brotherhood at other points on the Canadian Pacific Railway, and by sympathetic strikes in other callings at Vancouver and elsewhere. The nature and causes of the strike itself, and the strikes which followed in consequence of it, cannot be rightly understood without explaining in some detail the nature of the organization known as the United Brotherhood of Railway Employees and the relations which existed between this organization and the Canadian Pacific Railway Company for some time previous.

Oath Administered to Members.

The United Brotherhood of Railway Employees was constituted in January, 1901. It is a secret society, bound together by the following oath :

I do most solemnly and sincerely swear (or affirm), freely and voluntarily, upon the Holy Bible and my sacred honour, that I will never reveal any of the secrets of the United Brotherhood of Railway Employees, which have been heretofore, shall be at this time, or may at any future time, be imparted to me as such, to any person whomsoever, unless under lawful authority of the Brotherhood ; that I will never write, indite or print, or allow to be written, indited or printed, if in my power to prevent it, any of the unwritten work of the Brotherhood ; that I will uphold and support its constitution and by-laws, and will obey and abide by all regulations and mandates issued through its various official channels, and will respect and comply with all decisions of its tribunals, when in accordance with its constitution and laws ; that I will not knowingly wrong, cheat, nor defraud any member of this Brotherhood, or speak ill or slightly of any member thereof ; that I will assist all destitute worthy members of the Brotherhood who may apply to me for relief, so far as lies within my power ; that, other things being equal, I will give employment to a member of this Brotherhood in preference to a stranger ; that I will give members due and timely notice of any danger that I may know of, threatening them or their families ; that I will recognize all signs, passwords, grips or signals which may be given me by members of the Brotherhood ; that I will endeavour at all times to uphold and maintain the dignity of the Brotherhood ; that I will not recommend any candidate for membership therein, whom I have reason to believe would prove unworthy. All this I most sincerely and faithfully swear (or affirm), and will steadfastly keep and perform without the least equivocation or mental reservation whatsoever, and will consider this obligation binding, whether I remain a member of the Brotherhood or not.

Nature of Organization.

This oath is administered during a lengthy and impressive ceremony.

The headquarters of the organization are at San Francisco, and its purpose is to embrace in one organization all classes of railway employees. The management of the affairs of the Brotherhood is in the hands of its president and board of directors, who are clothed with exceptional powers in the direction of the affairs of the entire Brotherhood. As an illustration of the nature of this power, and also of the main purposes of the Brotherhood in endeavoring to effect an organization that may embrace all classes of employees upon railways, the following, which is section 25 of Article 5 of the constitution of the Brotherhood (the Article which defines the power of the president) may be quoted :—

Whenever a reasonable satisfactory adjustment of grievances of a member or members of the Brotherhood, or of the Brotherhood, or

any division or departments thereof, is refused by the management of any railway, notice of refusal to adjust grievance may be given by the joint order of the president and board of directors, and upon the same being made, and until the same is revoked, no member of the Brotherhood shall perform any labour or service in or upon any such railway, or upon freight or passengers thereof, either while actually upon said railway or upon premises owned by the corporation owning the same, or under the control or direction of such corporation or its management, or that may be destined for or to be carried upon any such railway or any part thereof, or that may be coming from or to be transported from the same, or from any part thereof, and while such notice is in effect and until the same is lawfully revoked by the authority issuing the same, no member of the Brotherhood shall in any wise handle, transport or be in any way connected with the handling, transmission or transportation of any of the freight, or passengers, or property of said railway, or of the railways affected by and specified in said order under penalty of expulsion. Nothing herein shall ever be construed as authorizing any act of violence or the destruction of any property, or any other unlawful act, or to secure or effect the hindrance of any person or persons not connected with the Brotherhood in the performance of any service, which it or its members hereunder fail or refuse to perform, but is in all cases to be limited to a lawful and peaceful refusal to render further service in connection with the transportation of passengers, or of freight, or of property of the railway or railways affected by such notice of refusal to adjust grievance.

From this Article it will be seen that unlike the provisions usually found in the constitutions of trade unions, relating to strikes, the constitution of the United Brotherhood of Railway Employees leaves no option under certain circumstances, to the members to determine in their local lodges whether or not they will become involved in a sympathetic strike, but subjects one and all, under penalty of expulsion, to the order of the president and a board of directors. Those, therefore, who are accustomed to trades union methods of proceeding, will be at a loss to understand the action of the men involved in this strike at different points on the Canadian Pacific Railway, or some of the sympathetic strikes referred to, unless the nature of this organization is kept in mind.

Nature and Extent of Organization on C.P.R.

In June, 1902, the clerks in the employ of the Canadian Pacific Railway Company at Vancouver were organized as a branch

(called a 'division') of the United Brotherhood of Railway Employees. Divisions were formed during the fall of the same year at Revelstoke, Nelson and Calgary. In November George Estes, the president of the Brotherhood, visited Vancouver to work up the membership of the order, and one of the results of his visit was the addition to the order of the Vancouver freight handlers and checkers, who were already members of a local organization which had an agreement with the company, including a schedule of wages which was to be in force until June 21, 1903. From that time on, the relations between Estes and executive officers of the Canadian divisions were of an intimate nature, Estes apparently directing much of his time and energy to furthering organization of the Brotherhood in Canada.

From reports furnished by secret service detectives the company learned :—

(1). That the purpose of the organization was to include all classes of employees, whether members of other orders or not. For example, men were being taken into the Brotherhood from the shops at the several divisional points on the Canadian Pacific Railway, although the mechanical departments to which these men belonged had organizations which had agreements with the company; one or two train baggage men, members of the Order of Railway Trainmen, with which the company had an agreement, also joined the Brotherhood. In December instructions were given by Estes to one P——, the organizer of the Brotherhood in Canada, to endeavour to organize the bridge and trackmen in the Kootenay country as members of the Brotherhood, although they belonged to a union of the maintenance-of-way men, with whom the company had made an agreement following upon a strike which lasted a good part of the summer of 1901.

(2). That sailors on the Pacific and local boats of the Canadian Pacific Navigation Company were being taken into the order.

(3). That the general foreman of the freight sheds at Vancouver, who had charge

of 95 men, and had the power of engaging and dismissing men, had joined the organization.

(4). That preparations were being made to organize the Brotherhood along the entire line of the Canadian Pacific Railway, and that it was contemplated to make a demand for recognition of the Brotherhood and schedules at Montreal on July 1 of the present year.

(5). That an employee who had been dismissed for cause at Nelson and afterwards given work in the sheds at Vancouver and again dismissed, had placed his case in the hands of the Vancouver division, and that that division had asked support from Revelstoke, Nelson and Calgary, but had received a promise of it only from the last named. It was decided to wait on the general superintendent of the Pacific division, Mr. Marpole, and demand the reinstatement of this employee, and before doing so, to publish their intention in the papers, in order, as Estes stated when advising the course named, that they might 'work a bluff,' and get glory for the order as well as indicate strength, the idea being that the general superintendent, in order to prevent trouble, might pretend ignorance of the case and do as requested.

(6). That the private business of the company was being given out and discussed in the divisions of the Brotherhood. Matters were mentioned by officers of the Brotherhood, that could not have come to them except by the treachery of some employees having confidential positions. One of the telegraph operators was seen to hand Estes a number of copies of dispatches. Upon investigation it was discovered that this man had given to Estes, at the latter's request, private information that came to him in the course of his work as operator. He signed a confession to this effect.

Private Business of Company discussed.

The fact that the confidential clerk of the general superintendent was being sent to San Francisco and other coast towns was discussed in the division. The advance

voucher for his expenses was perused and reported on, and the conclusion reached that he was being sent to the points named to find out the strength of the Brotherhood, and to report on the probability of getting men to take the places of those employed in the event of a strike on the Canadian Pacific Railway. This supposed discovery was communicated to Estes, who is, by the secret service detectives, reported to have replied to the following effect from Seattle on January 2: 'I am proud to think that the union is so well organized as to put us in a position to get such information, and congratulate you on your promptitude in giving me the information. I will make it impossible for him here in Seattle to get any clerks, as they get about \$60 a month here, and are nearly all solid for the U.B.R.E. However, I will put them on their guard, and have wired Massey (the vice-president of the U.B.R.E.) in San Francisco. I will go at once to Tacoma and make that place my headquarters and try to keep them from scabbing and organize there as quickly as possible. Keep me posted.' This letter was directed to F. J. Halton, the agent (secretary) of the local lodge at Vancouver, who decided that it was best to have an interview with Estes, and with the connivance of his immediate superior, left his work on sick leave and went to Seattle.

Suspension of Member of Brotherhood in January.

These disclosures resulted in the suspension of Halton and the transfer of a young woman, who was a member of the Brotherhood, from the office of the assistant to the general superintendent, to another department, in pursuance of a decision that no member of the Brotherhood should remain in the private office of the superintendent. The cases of Halton and this young woman were taken up by the Vancouver division. A grievance committee was formed to present a request for the reinstatement of Halton, and the employment of the young woman in a permanent position at no less wages than she had

been receiving. This committee waited upon the general superintendent on January 5 (the general superintendent's confidential clerk had left on December 29, Halton on the 30th, and the latter suspended on January 2) who refused to deal with them as representing the Brotherhood. He agreed to meet the committee of general office clerks and explain the reasons for Halton's suspension, and the transfer of the other clerk. He explained that they had been wrong as to the supposed purpose of the mission of his confidential clerk to the States, and read them correspondence relative to that between himself and Mr. McNicoll, the general manager at Montreal, and Mr. Tait. This correspondence, inasmuch as it has a direct bearing on the whole situation, it may be well to reproduce.

Correspondence *re* Wages of Clerks on C.P.R.

In a letter to Mr. Marpole on December 15, Tait says :—

In reference to the organization of clerical labour in Vancouver and elsewhere on your division under the auspices of U.B.R.E., I do not know what we can do to stop this and prevent trouble, except to pay our men as well as they are paid elsewhere under the same conditions. In order that we may know where we stand in this respect, will you kindly select some one in whom you have confidence, to go to Portland, Seattle, Tacoma and San Francisco, and ascertain just what salaries are paid to clerks in various positions at each of these points, and send me a statement showing this, with the corresponding salaries paid at Vancouver, and your recommendation as to what, if any, increase should be granted.

In a letter of Mr. Marpole to Mr. McNicoll, dated January 26, to which was attached a statement containing the recommendations of the former as to the increases growing out of the inquiries of his confidential clerk, and a statement covering present and proposed wages and the rates of pay at Seattle, Tacoma, Portland and Spokane, Mr. Marpole says :—

I have already discussed pretty fully with you the subject of the action we proposed now to take, and desire to repeat now my earnest appeal to you to let me make these effective from the first of February, so as to put us on a proper and fair footing before we force the issue of pending trouble.

We must be just and reasonable in dealing with this class of employees, and give them the satisfaction of knowing that this company is willing to pay as much as other transcontinental lines immediately south of us for exactly similar work done.

I am especially anxious to retain the services and respect of those employees whose loyalty has already been demonstrated, and can only do so by being absolutely just in the matter of remuneration, and make this equivalent to what they can get readily from other companies. I am asking only what I consider the responsible and loyal element are entitled to, and the total increase in this connection does not cut much of a figure when we look at the faithful services rendered at all hours and places.

Please wire me your decision, as I desire to announce the increase immediately for a reason you are aware of.

Having read the preceding correspondence to the members of the committee who waited upon him on January 5, and had some discussion with them, Mr. Marpole remained firm in his determination not to recognize the committee as a committee of the Brotherhood. Halton thereupon wired to Estes : 'Will not deal with committee as union, but as employees ; will try to satisfy *re* request as such, but not as union.' To this telegram Estes replied : 'Must deal with union ; it is vital and only solution ; will be with you at noon to-morrow.' The committee then withdrew, as it felt it could not accept anything less than recognition without the consent of the local division.

Threatened Strike in January.

At the meeting of the division that night the committee was instructed to inform the general superintendent at 10 o'clock on the following day that a reply in writing would be required before noon, and that if it were not satisfactory the committee would have power to act at its discretion and call out such employees belonging to the order as it saw fit. A strike committee was formed and a meeting called for the following day at noon to receive the report. The general committee was given power to appoint pickets to interview those not aware of the strike who were to be called on with a view of inducing them to quit work. Suspected men were followed home from the meeting, and a picket placed near the residence of the general superintendent to see if any

one gave him information before the proper time. In short, every preparation was made for an immediate strike. The freight handlers who were working under the schedule which had been agreed to by them and the company, were in some doubt as to what should be done in view of this obligation. It was decided, however, that the position should be taken that their agreement provided that the company was not to discriminate against any of their members, which condition would be broken in case Halton was not reinstated, as, all being members of the Brotherhood, he was now one of them.

The committee met at the time appointed on the following morning, but no settlement was reached. Mr. Marpole was told that Estes was in town and asked if he would meet him. He replied to the effect that he would be glad to meet any one, but could not meet Estes as representing them. He would, however, meet him privately in order to convince him that the recognition of the Brotherhood was impossible. In the afternoon Estes accompanied a small committee as their attorney, and as a result of this meeting an understanding was reached which was embodied in the following letter, signed by T. G. Townley, the assistant of the general superintendent, and addressed to Mr. Foulds, for a committee of the employees :—

Re interview between committee of employees and myself this afternoon : My understanding is that Clerk Halton is to be suspended one week for absenting himself without leave and deceiving you as to the reason for his absence on Wednesday last ; this decision being arrived at after the explanation given by Halton and yourself as to the reason of his absence, which should have been forthcoming before, and that any similar breach of discipline will mean immediate dismissal. As to Miss C——, there appears to be some misapprehension as to her case, as she is still employed, and no intimidation was given her that her services were not required.

False representations by Estes, President U.B.R.E.

On the evening of the same day (January 6) there was a mass meeting of the members of the Brotherhood at Vancouver, at which Estes gave an account of the proceedings of the day. After reading the above letter

to the meeting Estes is reported to have said :—

This is practical recognition. If we had not gone to Marpole, Halton would not have got his position back, and I, as attorney for this union, carried out the negotiations with Mr. Marpole. I told him what to say in that letter, and he wrote it. I did not think of getting a statement in writing from him that he would not discriminate against members of the union, but feel sure if I had asked it that he would have put that down also. However, he stated in the morning, before 15 witnesses, that he would not do so, and that is good enough for us also ; at least a dozen times he hinted to us to put in our schedule. This is quite a victory for us, as at the interview in the morning he had no idea of reinstating Halton—he said 'it would play the devil if I reinstated him.' It will play the devil all right, as our organizer will take this news all along the line, and if that does not organize the Canadian Pacific Railway, nothing would. If I were you I would rest on my laurels for a short while now, until we get solid. I have set down June 30 to have the Canadian Pacific Railway organized solid ; then I will go to Montreal with your representatives, and if we cannot get recognition then and a fine schedule, I am a long way out of my reckoning.

Regarding the letter to Foulds, Mr. Marpole's version is that the committee withdrew and Townley prepared the letter. He says : 'I told them I could not recognize the union, having no power to do so, and could only deal with them as a committee of employees.' And in regard to the meeting at which Estes was present : 'After a few words Estes admitted to us that recognition could not be gained through me.'

The use subsequently made by Estes of this understanding and interview in connection with the strike of the Brotherhood, commenced in February, may serve to indicate the deliberate manner in which he attempted to mislead the members of the United Brotherhood in his endeavours to further the strike and gain for it the financial and moral support of other organizations. In a circular letter dated March 4, he says :—

This strike was brought about by the persistent discrimination and intimidation of our members, which was in deliberate violation of an agreement between the U.B.R.E. and the management of the C.P.R., which was signed by General Superintendent Marpole early in January as an outcome of the efforts of the company at that time to destroy the organization, but which resulted in a complete back-down on its part when it saw the completeness of our organization and the extent of our power at Vancouver, and its utter inability to defeat us. It was believed at that time the

management would respect this agreement, but they seem to have had no regard whatever for their word or the sacredness of a contract, and from that time to this they have evidently been making preparations for another test of strength.

It is to be noted in connection with the above statements that there had never at any time been an agreement between the Canadian Pacific Railway Company and the United Brotherhood of Railway Employees, and that the former had refused absolutely to recognize the Brotherhood in any way whatever, and that no wage schedule was given to the employees collectively who had concerned themselves with Halton's suspension.

Estes' plan for Organizing the Brotherhood in Canada.

Besides the division formed at Vancouver, the United Brotherhood had, as already mentioned, organized divisions at Revelstoke, Nelson and Calgary during the fall of 1902. These, together with the division at Winnipeg, seem to have constituted all the lodges established on the Canadian Pacific Railway up to the end of last year. But it was the purpose of the order to push forward the work of organization over the entire line, and for the execution of this work one P——, was appointed general organizer for Canada. Estes' plans for the order may be gathered from his several letters to P——, who subsequently sold them for valuable consideration to the Canadian Pacific Railway Company.

It will be well to reproduce at length parts of some of these communications, as they serve to illustrate the manner in which Estes intended to organize and use Canadian workmen to further ends and purposes of his own. They are also important as helping to explain, in part, the attitude of the Canadian Pacific Railway Company towards this organization in refusing to grant it recognition.

Under date of December 25, Estes writes from Seattle to P——, at Winnipeg, as follows:—

I have to-day written the Railway Employees' Journal to honour your personal requests upon the Journal for papers to the extent of 25 of

each issue of the Journal for organizing purposes. (No free copies of the Journal can be issued except on the president's personal order).

Therefore please advise the Journal from time to time where you want the Journals sent to, giving as much advance notice as possible. I have also said to the editor that I expected you to contribute to the Journal weekly, giving favourable information of your work in your steady march across the continent, and that I wanted these articles given preference (as our space is always overcrowded) because I desire every possible attention given to the Canadian portion of the U. B. work.

I desire you to be especially charged with the work of getting all Canadian divisions properly into the Directory, and the editor in chief has received instructions to the effect that you will supply this information to him just as rapidly as you reach each division.

As you work your way eastward please send in good, vigorous articles about your reception (whenever favourable) and the spirit and enthusiasm of the members. Let them be signed articles, using your official title—General Organizer for Canada. This title will appear in the Directory of the Journal, as I have sent it to San Francisco to-day. In these articles have your work even showing details where interesting, giving names of places and of persons where safe to do so.

In all your writings carefully word your articles so as to develop a public sentiment for the U.B.R.E.—the Industrial Union plan—the A. L. U. and against the reactionary and capitalistic party now temporarily in control of the A. F. of L., but not against the masses of members comprising the A. F. of L. Continually separate the administration of the A. F. of L. from the A. F. of L. itself, and give all possible praise to the masses of the A. F. of L., but without being personal or vindictive condemn the temporary capitalistic administration of the A. F. of L. in the strongest terms you can possibly employ.

In this way you will constantly stimulate and augment a great public sentiment for the U. B. R. E.—for Industrial Unions, for the A. L. U. and for Socialism (but don't use the word) and against capitalism and the Gompers faction which is working in harmony with Marcus A. Hanna and the infamous civic federation to keep down the masses of the people.

Let your articles be serial or continued in character, as it is my desire for our whole membership, through the paper, to carefully trace your movements across the continent. By the time you reach the Atlantic seaboard, if you handle this matter as I desire you to, you will be in the minds of twenty-five thousand railroad men and women of North America. Not only that, but it will make you the strongest man in Canada in the labour movement provided you show yourself to be a natural leader in the work you perform and the reports you make of it through the Journal.

This will all have its effect in building the U. B. R. E. throughout the Dominion, besides that, our Canadian divisions will watch your march across Canada with the most boundless interest, provided you portray it for them properly in the Journal, and this will give you a prestige among them which you cannot otherwise acquire. This will also be the cheapest and best way whereby you can keep all Canada advised of your movements. In order to preserve the continuity of your articles it would be best not to miss a single issue of the Journal,

without something from you to keep up the interest.

It would be well, as soon as you get this, to send in a preliminary article to open up the case, so to speak, and then follow it weekly thereafter.

Massey advises me that there is a movement on foot for the Bridge and Trackmen in the Kootenay country to go into our division there. If you can put this through do so, and I will back any reasonable action you take to accomplish that end.

As before stated, I give you large authority within the Dominion, and, of course, as I wrote Gault, I expect results. I wish you to send your photograph (bust) to the Railway Employees' Journal, and when you have made some good stroke at some point I will personally write an article and have the picture appear in the paper.

Under date of January 28, Estes writes to P——, as follows, concerning the conclusion of the strike of the Canadian Northern Railway at Winnipeg :—

It is a wonderful victory, and we can now say we are an organization which has never lost a strike, as we won the great strike at Houston, Texas, comprising 688 men, and the brush at Vancouver on January 6, and the great strike on the C. N. R. which has lasted seven months.

We should now sweep Canada from Ocean to Ocean, Vancouver to Halifax, and should be ready to get our committees into Montreal early in the coming summer.

In another letter of the same day, in reply to a letter from P——, complaining that he is being shadowed by a Canadian Pacific Railway detective, he, in an effort to encourage P——, (who had sold out to the Canadian Pacific Railway four days before the date of the letter) speaks of the plan he had for the conquest of the Canadian Pacific Railway :—

The whole division of Vancouver is now exerting its combined strength to build up the U. B. R. E. I have requested that division to open Divisions at Victoria, North Bend and Kamloops, also a division of the Express Auxiliary at Vancouver, which it will proceed to do as rapidly as possible. I have requested the division at Revelstoke to open divisions at Field and Laggan. Gault, now that he has the strike off his hands, has gone solidly to work building up at Winnipeg and in that vicinity. Besides this, after Massey finishes organizing at Tacoma, Seattle, Everett, Spokane Falls and Victoria, I will send him to join you about May 1, and I expect you will be about Winnipeg or Port Arthur by that time, and by the time the work has progressed well toward Montreal, I will myself begin at Victoria and traverse the whole Canadian Pacific Railway into Montreal, leading the committees in their last great stand at that point.

Purchasability of Leaders disclosed.

In publishing these letters as part of this report, the Commissioners feel that it is

in the interests of the workmen, as well as of the public, that there should be no concealment as to the method by which they came into possession of the Canadian Pacific Railway Company. We feel that they should be published, if only to show that there is a possibility of labour leaders being bought to serve the interests of a corporation in view of the power or influence which they may have among their fellow workmen. It has often been asserted that many of the strikes of recent occurrence in this province were fomented by agitators who were in the pay of some rival corporation in the United States. When such allegations have been made they have always been strongly resented by workmen everywhere. If, however, it might occur, as it in fact did, that the chief organizer for Canada of an international order such as the United Brotherhood of Railway Employees, was made, for a small gratuity, to reveal in their entirety the secret workings and plans of an organization of which he was, within the Dominion, the head and trusted representative, there can be little doubt that men in a less responsible position and for larger inducements, might be found who would undertake the less traitorous task of fomenting strife among the employees of a particular corporation in order to further the business of a rival corporation elsewhere.

The C. P. R. Secret Service.

It appears from the correspondence that with few exceptions there were present at the meetings of the several lodges of the United Brotherhood of Railway Employees in Canada, paid secret service officials of the Canadian Pacific Railway Company, who reported in full the proceedings of the meetings to the company. As only members of the Brotherhood were admitted to these meetings, these men must have gained admission through the order. In fact it would appear from the written report of one of these secret service men to the company that he was not only present at the meetings, but that he, on occasions, addressed the meetings at considerable length,

and at one time went so far as to initiate four new members into the organization, administering to them the oath by which he himself was bound. The purpose to be gained could make but little difference to a man who would lend his services to work of this kind, while the fact that such services were performed successfully would clearly indicate that, while zealously guarding their own rights in the matter of their relations to their employers, a body of men might quite unconsciously be led to adopt a course of action detrimental to themselves and their employers alike, and which might only help to further the purposes of some rival interest.

Canadian Organizer of U. B. R. E. enters Company's Secret Service.

P——, who was selected by Estes as his chief representative to do the work of organizing in Canada, and who was looked up to as a leader by the members of the Brotherhood in this country, appears to have been a weak man with a doubtful record, and at the time of his appointment to the post of organizer of the Brotherhood, in financial difficulties, and apparently in poor health. At Nelson he was threatened with exposure by the Canadian Pacific Railway detective, who had discovered some facts regarding his career elsewhere. Under the influence of fear, and under the stress of having to make provision for his family, he yielded to the pressure applied by the detective and subsequently signed the following written statement:—

I, P——, Organizer General of the United Brotherhood of Railway Employees for Canada, do hereby offer my service to the special service department of the Canadian Pacific Railway Company, and shall be pleased to accept a position under them. This offer is made of my own free will and without conditions.

This proposal is dated and witnessed at Nelson, January 24, 1903. P—— was then evidently hurried on to Winnipeg, where, on the 27th of the month, he gave a receipt to the Chief Inspector of the company's special service department at Winnipeg, for 'the sum of \$25 for expenses, the same to be accounted for. Also transportation, Winnipeg to Calgary and re-

turn.' In a report by the Chief Inspector at Winnipeg on January 29, the following statements are made:—

After discussing the matter thoroughly and also after the proposal, P—— had made to me, he having offered to work for my department by continuing to organize from place to place, but to confine himself to speaking on Socialism and Labour Unions, and keep out the U. B. R. E. from all his meetings, I then went up to the hotel and made arrangements for P—— to return to Calgary and to keep me posted every day as to his progress in the work, and also give me the names of all the men joining the U. B. R. E. and on his agreeing to those conditions, I gave him transportation to Calgary and return to Winnipeg in the shape of a first-class ticket, and also gave him \$25 for expenses as he would not be able to collect any fees from the men joining the Union. I took his receipt for this amount and we left to take No. 1 at 18.05 K.

I omitted to say in the above that he had given me several letters of introduction and considerable correspondence between himself and Estes which has been going on since the 18th of December last in regard to the progress of organizing the U. B. R. E.

P—— wrote from Calgary on February 1 to Winnipeg, concerning his work in that place, and sent in other reports, in one of which he gives an estimate of the relative influence of different members whom he named. Later he returned to Winnipeg, and a letter from him to the 'Voice' in favour of the United Brotherhood of Railway Employees appeared on February 13. Shortly afterwards he fell sick in Winnipeg and was taken to the hospital, where he was cared for by the Brotherhood until his death, which took place during the month of April.

C. P. R. takes steps to Suppress U. B. R. E.

During January, Mr. Marpole went east, and, with the knowledge he had of the intentions and methods of the United Brotherhood, decided after, consultation with other officials, on a certain course of action. It was determined that men on steamships and men who already had agreements with the company should not be allowed to join the United Brotherhood of Railway Employees. That in view of Estes' evident intention to tie up the road, and the certainty that upon any attempt being made by the company to reorganize its staff, or to discipline a member of the order, there would be trouble, provision was

to be made to secure substitutes in the event of a strike being declared. That the general foreman of the wharfs and local shed, who had practically control of all the time and employment of about 95 men, including their engagement and discharge, should be required to retire from the order in any event, as he had proved himself to be an aggressive member of the order, and had acted as a member of the committee which had interviewed Mr. Marpole in regard to the Halton affair. It was, moreover, decided that the wages of the clerks and foremen should be readjusted.

From this time until the strike was declared on February 27, a kind of secret warfare was kept up between the company and its employees, who were members of the Brotherhood, both parties having knowledge of each other's movements through spies and traitors; the Brotherhood getting information from disloyal employees of the company, and the company learning the secrets of the organization through faithless members, the latter violating their oath in order to serve the corporation.

Events immediately preceding Strike.

On January 23 four men on the 'Empress of Japan' joined the Brotherhood, and on February 13, fourteen men on different vessel of the company, including the first officer of the 'Empress of Japan.' On January 30 the allied mechanics in the company's workshops at Revelstoke, who were already organized as an independent lodge of the International Association of Machinists, and who had an agreement with the company, joined the Brotherhood. On February 12 the freight handlers at Vancouver handed over their funds to the Brotherhood. On February 19 two train baggage men, members of the Order of Railway Trainmen, joined the Brotherhood. On February 20, the Vancouver division appointed an emergency executive. On the following days three or four of the prominent officials of the Brotherhood were sent to Montreal by the company, two at the direct request of the accounting department in Montreal, to confer in regard to the

changes in the form of accounting on divisions, and two that they might be segregated from the influence of the United Brotherhood at Vancouver. On February 24 a freight checker at Revelstoke, who was a member of the Brotherhood, was discharged for general inattention to duty, resulting in numerous claims for missing and damaged freight. On the same day an employee named Forrest, of the local freight staff at Vancouver, was suspended pending investigation by Superintendent Beasley, on the charge that he had in collusion with another member of the United Brotherhood at Winnipeg, underbilled some freight for a third party from Winnipeg to Vancouver. Forrest asked to be brought before Mr. Marpole, the general superintendent, who, after hearing his defence, warned him that if he found that he was not telling the truth, Beasley's decision would be confirmed. Within an hour afterwards, Mr. Marpole believed that he had evidence that Forrest had not told him the truth, and sent word to Beasley to continue the suspension pending further investigation. On February 26, the general foreman of the wharfs and local shed, whom the company had decided should be retired from the order, was offered a position as assistant agent—a new office created to permit of the agent having more time, for general supervision and less for purely office duties. This position was offered the foreman with an increase of wages on the condition that he should withdraw from the order, but he declined.

Notice of Strike served by U. B. R. E.

At 9.30 in the morning of February 27, Mr. Marpole received the following letter from a committee of employees who were members of the Vancouver division:—

Vancouver, February 26, 1903.

R. Marpole, Esq.,
General Superintendent,
Canadian Pacific Railway,
Vancouver.

Dear Sir,—We, the undersigned committee of Employees, have been instructed to write you requesting the immediate withdrawal of the suspension of H. P. Forrest of the local freight staff, issued subsequent to your cancellation of his suspension by Mr. Beasley.

We further request a cessation of the policy of intimidation lately pursued against the employees of various departments by your various officials because of their membership in the United Brotherhood of Railway Employees.

A satisfactory reply hereto is requested by 11.30 o'clock a.m. to-morrow, 27th instant, otherwise the employees represented by this committee will cease work at 12 o'clock noon.

Yours truly,

(Sgd.) ROBT. BROOKE,
F. J. WALKER,
DAVID LAVEROCK,
P. G. DENISON,
S. GARNHAM,
Acting Agent.

Strike of Clerks, Baggage men and others at Vancouver, February 27.

Mr. Marpole met this committee at 11 o'clock on the morning of the 27th, and at 11.40 the committee retired. In addition to the suspension of Forrest mentioned in this communication, the case of the freight checker at Revelstoke, who had been discharged on the 24th, was also taken up at the interview. Mr. Marpole understood that the committee were to come back in the afternoon, but they did not, and a strike was declared at noon, twenty minutes after they had left his office. Thereupon the clerks, office men, station baggage men and men at the stores who were members of the Brotherhood at Vancouver went out.

Immediately after the strike had been declared a circular letter was issued to other unions in the city, in which an appeal was made for their aid and sympathy. A direct appeal was made to the city trades, such as the teamsters, the building trades and the iron trades, to make an effective boycott of all materials which they might be expected to handle which in any way might have come over the C.P.R. Carried out in accordance with the wishes of the strikers, compliance with this request on the part of those appealed to might have produced a complete paralysis of industry and business throughout the city.

Forrest was suspended on Tuesday, February 24. The letter sent by the committee demanding his reinstatement was dated February 26. On the 25th Estes

wired from Portland, Oregon, to Garnham, at Vancouver :

Will arrive Vancouver 'Mainlander' Friday morning or train Friday evening.

The Strike directed by Estes.

The strike was declared on Friday, the day of Estes' arrival, and he at once took supreme command of the striking forces. The correspondence indicates that no important step was taken without his initiative or authority. In fact, both letters and telegrams reveal very clearly that the order is governed by an autocracy, and that executive officers, not only in Winnipeg, but at different places along the line where the Brotherhood has established divisions, were in many cases not so much as consulted as to what course it would be advisable to pursue, but were entirely subject to the dictates and directions of the president of the order.

As examples of the manner in which Estes exercised his authority, and as illustrating the means taken to extend the strike over different parts of the company's system, the following may be quoted from the originals of telegrams produced. The telegrams here quoted are such only as were sent to executive officers of the Brotherhood at different points.

On the day on which the strike was declared, Garnham, of the strikers' executive, at Vancouver, had wired to Gault, of the local executive at Winnipeg :

We quit work noon ; wire Calgary immediately.

Gault was acting at this time as organizer for the Brotherhood, P——— being in the hospital, and he evidently communicated at once to the headquarters of the Brotherhood, at San Francisco, as on the day following a wire was received by Estes at Vancouver from C. M. Hurlburt, one of the executive at San Francisco, stating :

Gault says Vancouver wires quit work ; wants him call out Calgary ; keep us posted.

On receipt of this telegram from Hurlburt, Estes wired to Gault at Winnipeg :

Trouble confined to Pacific division only ; Revelstoke goes out next.

On March 2, Estes wired Gault that fifteen clerks left Montreal Saturday for Vancouver, and instructed him to watch west-bound trains. The next day he advised Gault by wire as follows :—

Publish in 'Voice' (a Winnipeg labour paper) and other papers for all men keep away from British Columbia; 100 machinists, clerks, freight handlers struck (at) Revelstoke to-day.

On March 4, Estes wired Clarence Smith, secretary of the American Labour Union, Butte, Montana, as follows :—

Strike spreading; Revelstoke out; longshoremen struck here to-day. Please have Western Federation Miners refuse to allow coal loaded on cars, steamboats, ships or hulks at Ladysmith, Union or other points on Vancouver Island for Vancouver. This to prevent Canadian Pacific getting coal. Rush orders by wire—Don't fail—Fight for life—Answer.

On March 5, Estes wired Gault at Winnipeg, addressing the latter by his official title of vice-president, and subscribing his title as president to his own signature :

Call out all Canadian Pacific Railway members at Winnipeg and Calgary on strike to-day. File written statement with superintendent that men will return to work when settlement made here, and advise when out.

Later in the day he wired Gault, temporarily rescinding this order, as follows :—

Negotiations for settlement opened; call strike off Winnipeg and Calgary until further advised.

The same day he wired to George Horsted at Nelson, B.C., at 11.22 in the forenoon :

Call out all members of 92 on strike to-day. File written statement with superintendent that men will return to work when settlement made here. Advise number out.

At 1.10 p.m. Horsted, having received Estes' message, wires in reply :

Please say quick if any objection to members carrying on work for Great Northern; this is a union depot.

Estes answered this telegram at 7.55 p.m. as follows :—

Yes, go ahead and carry on Great Northern work.

In the meantime, however, other telegrams passed between Estes and Horsted, in regard to the men working for the C.P.R. At 2.55 Horsted informed Estes that 26 members at Nelson, 3 at Rossland and 3

at Eholt, had quit work at 1 p.m. At 5.30 Horsted wired Estes as follows :—

Superintendent Downie requests Division ninety-eight to resume work until he communicates with his superiors at Vancouver. Wire instructions quick.

At six o'clock Estes replied to this telegram :

Hold all members out until strike settled. Negotiations now progressing.

The negotiations here referred to, and which were the occasion for the holding off of the strike at Winnipeg and Calgary were those carried on by the Vancouver Board of Trade, and other parties, to bring about a settlement of the dispute. These efforts not having been successful, Estes commenced to re-extend the strike. On March 9, he wired to Gault at Winnipeg, as follows :—

Board of Trade endorsed proposed Canadian Pacific Railway agreement; Montreal declined it this morning. Call out all Canadian Pacific Railway members Winnipeg and Calgary immediately. Notify Leonard in writing strike on this division is for recognition (at) Montreal. Get endorsement Labour Council. Labour Council here has endorsed; fight to finish.

This telegram was sent from Vancouver at noon. At 3.20 p.m. (Vancouver time) Estes received from E. B. Smith, Winnipeg, executive officer, the following wire :

All out four o'clock; Calgary called on; will stand to finish.

At 1.30 p.m. Estes wired to Halton, who at this time was in Montreal :

Yourselves, Foulds, Dick, Wilson, prepare, sign as committee and deliver letter to-day to McNicholl, requesting recognition of U. B. R. E., stating strike will be settled when recognition granted. Calgary now out.

To this telegram Estes received the following reply the next day (March 10) :

Letter delivered; refuse to treat except through departmental head; claims customary procedure.

On the same day Estes wired from Vancouver to Halton again at Montreal :

Press reports say four hundred clerks Montreal striking. Organize them on any terms.

J. W. Stanley, at Calgary, wired Estes on the same day :

Teamsters in sympathy; won't haul baggage; is this right? Answer

To which Estes replied :

That is right ; no freight or baggage handled by teamsters here.

He also wired Stanley :

Will go to Calgary personally soon. Stand firm ; will report daily.

Horsted at Nelson wired Estes to know if any arrangement had been made towards immediate settlement ; also as to whether there was any possibility of him or other speakers being there shortly in order to hold a mass meeting. Estes replied on the 10th of March, that no immediate settlement was in sight, but that the provincial government had proposed arbitration, and that the Premier was coming on Friday, and on March 11 that he himself would visit Nelson or send some one shortly, that the teamsters at Calgary were with them, and to stand firm. On the 12th of March he wired Horsted at Nelson :

Have instructed Forrest, now (at) Revelstoke ; to go (to) Nelson immediately to assist you.

and sent the following wire to H. P. Forrest at Revelstoke :

Please go (to) Nelson and assist there ; Greenwood Smelter Junction have struck.

He wired Gault at Winnipeg :

All teamsters, 200 struck here to-day ; refuse haul scab freight. Premier Prior arrives here to-morrow.

The same telegram was sent to Horsted at Nelson. On the 13th Estes wired Horsted at Nelson :

Mass meeting, 1,000 men here last night. Steamship men say will tie up all vessels to-morrow ; Premier not yet arrived ; 150 out Winnipeg.

To Gault at Winnipeg he wired :

Employ counsel protect your men ; Premier not arrived yet ; mass meeting 1,000 men last night ; steamshipmen say will tie up all vessels to-morrow.

The reference to employing counsel in this telegram is to a telegram received from Smith, at Winnipeg, on the morning of the same day, informing Estes that four office clerks had been summoned for breaking contracts and deserting employment, but that all was well.

On the 15th of March, Estes wired Gault at Winnipeg :

Railroad men, longshoremen, steamshipmen, teamsters, formed immense mass meeting last night. Waterfront tied up ; Skagway boat left without cargo. 'Empress' crew struck. Calgary, Revelstoke, Nelson still out and increasing membership.

To A. J. Jamieson, 260½ Fourteenth Street, Portland, Oregon, he sent the following:—

Railroad men, longshoremen, steamshipmen, teamsters, formed immense mass meeting last night ; waterfront tied up. Skagway boat left without cargo last night. Help us financially all possible.

On March 16, he wired J. F. Massey, Seattle :

Situation better to-day than heretofore ; men standing firm ; waterfront completely tied up ; I go Victoria to-night.

To Horsted, at Nelson, he wired :

Advise all members stand absolutely firm, no matter if all places are filled ; will win just same. Everything tied up here ; all men standing firm ; steamshipmen come out to-morrow.

To E. B. Smith at Winnipeg, Thornton at Revelstoke and Cardell at Calgary, he wired :

Montreal 'Star' publishes report that men back to work ; deny it ; we are all firm ; steamshipmen come out to-morrow.

As mentioned in his telegram to Massey at Seattle, Estes arrived at Victoria on the evening of March 16. On the following morning he wired to Garnham at Vancouver :

All steamshipmen struck here last night. Engineers and officers of other boats scabbing as firemen and deckhands on 'Charmer' to-day.

On the 19th he wired from Victoria to Garnham :

Strike getting stronger here ; have requested Massey come Vancouver.

Other Leaders brought in from United States.

About this time Estes was arrested in Victoria on the charge of conspiracy in attempting to stop the government mail on the steamboats. His trial occupied some days, during which time he arranged to have several members of the executive board in the United States come to Canada to direct the movement of the strikers at

different points. Among these were J. F. Massey, referred to in Estes' telegram to Garnham on the 19th. Massey having arrived, and taking command, wired on March 24th to C. M. Hurlburt at San Francisco :

Have French come here ; Canadian Pacific Railway summoning all our prominent members to Victoria. Want assistance to prevent disorganizing our forces. All firm. Can win with some one to assist.

On the 9th of April another executive officer from the United States was brought in to direct the forces of the strikers, as is shown by the following telegram sent by Estes to W. J. Bradley, St. Paul, Minn.:

Please go Winnipeg soon as possible. Assist Gault with work.

Estes having been discharged on the charges preferred against him at Victoria, proceeded to tour over the line of the Canadian Pacific Railway, personally visiting committees and addressing mass meetings of the strikers and others at Nelson, Revelstoke, Calgary and Winnipeg. It was the latter part of April when he arrived in Winnipeg, and he remained in Canada until some time in May, when he left to attend the annual convention of the American Labour Union at Denver, and has not since returned. During the entire time of his stay in this country he continued to exercise the same absolute control, even in regard to matters of detail, as the telegrams here quoted disclose. As free use of the wires appears to have been made by him, during the months of April and May, as was made during March. The telegrams sent during April and May, however, are for the most part in cipher, and the Commission, owing to his absence from the country at the time of its sittings in Vancouver, and also to the limited time at its disposal there, were unable to obtain their translation. Other telegrams appear to have passed in cipher from the commencement of the strike, between Estes and officers in the United States. We have reason to think from the reference made to these telegrams in the correspondence before us that, were their contents disclosed, the part

played by Estes in the direction and manipulation of matters pertaining to the strike, and of movements auxiliary thereto, would be shown to have been much more extensive and daring than even the messages already quoted might suggest.

Strike in Violation of Constitution of U. B. R. E.

The strike of the Vancouver clerks and office men having been declared practically without notice to the company or other members of the Brotherhood, and in violation of the constitution, which provides that no strike is to be declared till the membership of the order reaches 100,000, the strikers found themselves in an isolated position. They had been preparing for a struggle, but the strike came when it did, only because local members felt that to allow the company additional time might have meant a disruption of the order. The constitution of the Brotherhood, however, is framed with a view to provide for emergencies of this kind. Unlike the locals of regular unions, lodges of the Brotherhood are not left to determine for themselves whether or not sympathetic support is to be given to branches of the order elsewhere, or to employees who follow a different calling. The plan is to bring all classes of employees connected in any way with railways into one organization, and to subject all lodges, wherever situate, to the order and direction of the executive head. While, therefore, the strike was prematurely forced, once it had taken place, full rein was given by Estes to the powers conferred upon him by the constitution ; and methods which it was evidently intended were not to be adopted until a more perfect organization had been effected, were utilized on every side to gain a victory at any cost. A brief review of these methods and of their results will serve to bring out the more important developments of the strike, while at the same time they disclose the latent possibilities of evil to be found in this organization.

Methods adopted to force Recognition.

The methods adopted by Estes and local strikers at Vancouver to force the Canadian Pacific Railway Company into a recognition of the United Brotherhood may be briefly classified as follows :—

(1). The extension of the strike at Vancouver so as to embrace other classes of employees who were members of the Brotherhood, and the initiation of strikes at other places on the company's system among members of the Brotherhood in its divisions at those points, notwithstanding the fact that members thus called upon had no immediate grievance against the company.

(2). The bringing about of sympathetic strikes wherever possible among members of organizations engaged in such callings as might lead to an embarrassment of the railway, and the attempted formation of new organizations among employees of the company and others at different points, with a view to bringing them out on strike.

(3). Attempts to tie up the steamships belonging to the Canadian Pacific Navigation Company and other companies.

(4). Efforts to bring about a stoppage of the supply of coal, thereby making it impossible for the company to carry on its transportation business either by land or sea.

(5). The creation of a gigantic boycott to immediately injure the company's business, and the business of any concern that might happen to have any dealings with it.

(6). The prevention of persons from taking the places of strikers, or those who might have gone out in sympathy, making use in this connection of the practices of picketing, black-listing, molesting and intimidating innocent parties.

(7). The dissemination, through the press and other sources, of literature intended to create antagonism to the railway in the minds of workingmen in particular, and on the part of the general public, and to arouse in the strikers and their sympathizers undue expectations of success.

I.—Extension of Original Strike.

The Extension of the strike among members of the Brotherhood, in other callings and at different points.

The members of the Brotherhood who originally went out on the 27th of February, included only such as were employed as clerks, office men, station baggagemen, or men at the stores. The Vancouver division, however, embraced also men employed in the freight sheds, known as freight handlers and checkers, who had become members of the order at the time of Estes' visit to Vancouver in November. Previous to that time the freight handlers had had an organization of their own, and as members of such had an agreement with the company, which was to be in force until June 21. This agreement contained certain concessions to the freight handlers' union, and increased rates of pay over what they had been previously receiving. The question, therefore, which presented itself to the freight handlers, after the office men and clerks had gone out, was how they could at once remain loyal to their agreement and to the obligation which they were under to their fellow members of the Brotherhood who were on strike.

On the 1st of March, Superintendent Beasley, fearing that the strike of clerks and office men might, because of their connection with the Brotherhood, be followed by a similar course of action on the part of the freight handlers, interviewed Johnstone, who was a prominent member of the latter. Beasley assured Johnstone in this interview that he did not want to have any trouble with the freight handlers. He wanted them to continue as they were at the time, but stated that the company was entirely opposed to the United Brotherhood, and would not have a man like Estes interfering with its business.

Strike of Freight Handlers at Vancouver on March 2.

On March 2, Beasley sent for a committee of the freight handlers. At this meeting, according to the evidence of John-

stone, given before the Commission, Beasley wished to draw up a new agreement with them, and also intimated that any renewal of the agreement could only be had upon the understanding that they would withdraw from the Brotherhood. One of the freight handlers named Fowler had refused, after the clerks had gone on strike, to handle a bill made out by a person who was filling the position of one of the strikers, as he looked upon him in the light of a scab. For this refusal Fowler was discharged. Between 20 and 25 men had been brought by the company to Vancouver to take the places of men who might happen to go out on strike. These circumstances, jointly considered, were alleged by the freight handlers as sufficient reasons to justify the breaking of their agreement with the company, or, as they termed it, constituted a violation of the agreement by the company itself. There was the additional circumstance that the foreman of the local freight sheds had gone out on strike with the clerks, and the freight handlers maintained that they could not permit one of their own members to accept promotion to the position, or work with any other man who might take it, on the ground that he would be a scab.

The telegrams already quoted as having passed between Estes and executive officers of the Brotherhood at Nelson, Revelstoke, Winnipeg and Calgary are of themselves sufficient to indicate the manner in which the strikes among members of the Brotherhood at these several points were procured. Additional light, however, is to be had from the correspondence which passed by letter between Estes and officers of the local executive at Vancouver and local executive officers at other points.

Strike at Revelstoke on March 3.

The following appears as part of a communication sent by Forest at Revelstoke on the 2nd of March to the Vancouver executive, Forrest having been sent to Revelstoke on the day previous under orders from Estes.

I found that a meeting of the division had already been held at which it had been decided

to cease work as soon as they were in possession of authoritative reasons for the necessity of doing so. This they felt they had not received, although they had been informed by Brother M. ——— that the men at Vancouver had quit work, and the causes which led up to their action, and so they were very glad to see me. I was received in open arms by the executive committee, and that body immediately proceeded to draft a communication to Superintendent Kilpatrick on the lines suggested by Brother Estes.

The following is a copy of the ultimatum addressed to Superintendent Kilpatrick, at Revelstoke, and it is the one referred to in this letter of Forrest :

Revelstoke, B.C., March 2, 1903.

I. Kilpatrick, Esq.,
Supt., Revelstoke,

Dear Sir,—As you are aware, D. Inches, employed in the freight department at this station, was discharged as we believe, because he was a member of the U. B. of R. E. It has also come to our knowledge that H. P. Forrest, of the local freight office at Vancouver, was discharged for the same cause, and that intimidation and discrimination against members of the union is being extensively practiced by officials of the Canadian Pacific Railway. We therefore hereby demand that the above mentioned employees be immediately re-instated, and that all discrimination and intimidation against our members cease. Unless we receive a favourable answer to this communication in twenty-four hours, we beg to notify you that all members of the U. B. of R. E. at this station and under our jurisdiction will cease work at 8 a.m., March 3, 1903.

(Sgd) W. A. CHAMBERS,
HUGH A. BOYD,
T. H. DUNNE,
CHAS. CLARKE,
C. A. HART,
Executive Committee.
DAVID INCHES, Jr.,
Agent.

As threatened in this ultimatum, at 8 o'clock on the following morning the members of the U.B.R.E. in the shops of the company at Revelstoke, to the number of fifty-two, dropped their work and walked out without saying a word to the foreman or the acting master mechanics as to their reason for going out. Two charge men and six fitters who had not joined the United Brotherhood of Railway Employees refused to go out and remained at their work. This was on March 3.

Strike at Nelson and other points, March 4.

On March 4, Forrest, at Revelstoke, in a letter to Garnham at Vancouver says, among other things :

The boys are hanging together splendidly, and we are gaining accessions to our ranks every day, but there is a feeling that it would strengthen our cause if Nelson and Calgary were to come out. There seems to be a little suspicion that they possibly are not called out because they are not entirely willing to come out. Mention this to President Estes so that he may decide as to whether, under these circumstances, it would be better to call them out.

In a reply to this communication sent by Garnham to Forrest on the 6th of March, the former says :

You say that it would strengthen the cause at Revelstoke were Nelson to be called out. This has been done, as you have learned since writing. Three are out at Rossland, three at Eholt as well as the Nelson boys.

As already quoted, Estes had wired to Horsted at Nelson at 11.22 a.m. on March 5 :

Call out all members of 92 on strike to-day. File written statement with the superintendent that men will return to work when settlement made here. Advise number out.

On the same day Horsted had replied to Estes :

Twenty-six members Nelson, three Rossland, three Eholt, quit work at 1 p.m.

In this connection, too, it may also be recalled that before the men at Nelson felt at liberty to do any work for the Great Northern Railway, which, so far as they were concerned, they had no grievance against, they felt it necessary to wire in the first instance to Estes to know if the members might carry on work for the Great Northern Railway, informing him that it was a union depot, and received his permission to work.

It appears from the correspondence that from the commencement of the strike Revelstoke was anxious to have the support of Nelson. As soon as Inches was discharged he wrote to Nelson asking if the division there would support Revelstoke if they took up his case. Nelson replied on March 1 that they would. On the 2nd of March, Revelstoke wired Nelson that the Revelstoke division was out, and on March 4 wired again to know what action had been taken by Nelson in the matter, saying in the inquiry : 'Please say quickly what action taken.' This message being received by Horsted at Nelson, and the latter having

in mind the reply sent by him to Inches on March 1, suspected that the telegram—'Please say quickly what action taken'—might be a decoy sent out by the company to get information of the Nelson division, and wrote to Estes on the matter. In this letter, speaking of Revelstoke, Horsted says :

Since the strike has started in Vancouver they would also be aware that Nelson would not act on its own account or on word from Revelstoke, but only on authority from yourself (Estes), being on the ground and having the strike in charge.

This view of Estes' authority in directing the strike is further supported by the reply sent by the chief executive officer of the local division at Vancouver to Horsted at Nelson, which was written on behalf of Estes, who was busy with other matters at the time. In this letter the Vancouver agent says :

Of course, when the Vancouver division declared a strike and the president was here in person to conduct affairs, it could hardly be expected that any outside divisions would take instructions from any other source than the president.

The letter goes on to say, referring to the statement in a communication from Horsted to Estes, that the men were not very well organized at Nelson, and could embarrass the company very little there :

You must continue to do the best you can to prevent men working in the freight sheds and office. They are the main points, and should be carefully guarded. When Brother Inches at Revelstoke wrote you advising you that he had been discharged and asking your support, there was no idea that we at Vancouver were so close to trouble.

Elsewhere in the letter, the same writer says :

Had the company not endeavoured to extinguish us here when they did, we would have come to the support of Revelstoke if required.

Right to call off Strike Refused.

As noted above, the men at Nelson quit on March 4, in pursuance of Estes' command to Horsted to call out all members of 92 on strike. On March 13, a committee of three of the employees on strike at Nelson wrote a personal letter to Estes, which indicates clearly the desire of the men at that point to return to work, but

also their complete submission to Estes, whom probably they had never seen :

The majority of the members of this division are under the impression that you are not thoroughly conversant with the position Nelson occupies with regard to the main line. The bulk of freight arriving here comes either from Vancouver or through Winnipeg, and on account of the strike being now on at these points, practically no freight is arriving here, and the little that is arriving is being handled by our local officials here without inconvenience to the company. This practically nullifies our position here either one way or the other, and in consequence a number of our members are of the opinion that more practical assistance could be rendered by our members by returning to work and assisting financially towards maintaining the strike on the main line. In the meantime our positions here are being gradually filled, and the work is going on as heretofore, without any very great inconvenience to the company. This letter is written on the presumption that you are not, as previously mentioned, acquainted with the situation of affairs in the Kootenay country. We would, therefore, be pleased if you would reply by wire immediately on receipt of this, as we have been informed by the company that all positions will be filled by Monday morning.

This letter was received at Vancouver on the 16th, and was replied to by Estes in a telegram already quoted and which was as follows :—

Advise all members stand absolutely firm, no matter if all positions are filled. Will win just same. Everything tied up here, all men standing firm; steamshipmen come out to-morrow.

The acting agent of the local division at Vancouver wrote the same day to Horsted at Nelson the following letter :

Your personal letter March 13th to Brother Estes was very discouraging to our executive. I am informed that a message has been sent to you to-day in connection with your standing firm in the Kootenays. I have to advise you of the fact that President Estes should arrive in Nelson towards the latter end of this week. He will be in Revelstoke on Thursday, where you can address him care of Brother Inches. In the meantime, do not, under any circumstances, permit a member to return to work, as it would prejudice our stand with the public. When one man goes back it is reported that half a dozen have done so, and if three or four go back thirty or forty, and members of other points become discouraged and disheartened. Would it not be a terrible thing were this strike to be lost through the action on the part of the Kootenay boys, such as your letter states to be their wishes. It is absolutely necessary to stand firm until we win.

Strikes at Winnipeg and Calgary, March 9.

Winnipeg and Calgary were the next divisions to be ordered out. On March 5, Estes had wired Gault at Winnipeg :

Call out all C.P.R. members at Winnipeg and Calgary on strike to-day—

but later rescinded this order in the telegram :

Negotiations for settlement opened; call strike off Winnipeg and Calgary until further advised.

In a letter written the same day, copies of which were sent to all Canadian divisions, Estes says :

We will call out Calgary and Winnipeg next if we find it necessary to do so.

In a letter written on March 7, to a gentleman who was endeavouring to effect a settlement of the strike, Estes says, amongst other things:

It is proper that we should advise you of a decision just arrived at by the joint executive committee of all the strikers in this city, which is to the effect that there is no apparent desire on the part of the C.P.R. to come to a settlement of the trouble, but on the other hand, merely attempt to delay proceedings in the hopes of importing men and delaying the strike. The joint executive have decided to extend the strike still further, involving several unions in the movement. The order for the extension of the strike will be held until 2 p.m. for the purpose of ascertaining if there is any possible hope of fair treatment for the strikers, and if nothing definite is received from the C.P.R., direct, or through yourself by that hour, the order as decided upon will be issued.

The settlement not having been arrived at through the intervention of the Board of Trades, Estes immediately proceeded to extend the scope of the strike. Gault, at Winnipeg, was commanded to call out all C.P.R. members at Winnipeg and Calgary immediately, and to notify Leonard (Superintendent C.P.R. at Winnipeg), in writing that the strike was for recognition. Officers of the Vancouver division who were at Montreal were instructed to form a committee to prepare and deliver to the general manager there a request demanding recognition of the U.B.R.E., and stating that the strike would be settled when the recognition was granted.

Ultimatum presented at Montreal.

The ultimatum presented to the general manager of the C.P.R. in furtherance of this order was as follows :

We, a committee of the U.B.R.E., are requested by Mr. George Estes, president, to wait on you and request recognition of the U.B.R.E., whose members are now on strike at Vancouver, Revelstoke, Calgary and Winnipeg. On your advising us in writing that this will be done,

our members will return to work immediately and endeavour in the future to serve the company's interests as faithfully as in the past.

With the divisions of the Brotherhood at Vancouver, Revelstoke, Calgary and Winnipeg on strike, and the demand for recognition of the entire order from the head office of the Canadian Pacific Railway at Montreal, the United Brotherhood of Railway Employees had gone as far in its direction of all its members in Canada as it was possible, owing to their limited numbers, for it to do.

II.—Creation of Sympathetic Strikes.

Sympathetic strikes.—While the strike of the freight handlers at Vancouver on the 2nd of March, and the strikes of the local divisions of the Brotherhood at Revelstoke, Nelson, Calgary and Winnipeg should really be regarded in the nature of sympathetic strikes, yet they were strikes by different bodies of men belonging to the same organization. There were also strikes by members of other organizations, not members of the United Brotherhood, but who came out in consequence of conditions created by the brotherhood strike, and in order to strengthen the hands of the members of the U. B. R. E. in their conflict with the company.

Longshoremen, Steamshipmen, Teamsters and Messenger Boys Strike.

On March 4, between 150 and 200 longshoremen, members of the Longshoremen's Union at Vancouver, quit work.

On the same day the members of the British Columbia Steamshipmen's Society at Vancouver and telegraph messenger boys also quit.

The Teamsters' Union decided not to haul freight or baggage to or from the Canadian Pacific Railway wharf and shed, or in places where it was likely to be handled by 'scabs.' It being absolutely essential, in order to prevent a general dislocation of business, that much of this freight should be hauled, the master teamsters undertook the work of hauling the freight themselves

where their employees objected. This action on their part led to the Teamsters' Union to the number of 200, declaring a general strike on March 12.

About the same time the teamsters at Calgary refused also to haul any baggage from the Canadian Pacific Railway.

In all these cases it was the refusal to have anything to do with 'scab' freight which led to the strikes being declared, and in all it would appear that no regard had been paid by the unions involved to the clauses in their constitutions regarding the declaration of strikes; and the evidence obtained by the commission and parts of the correspondence leave no room for doubt that Estes and other officers of the brotherhood were primarily responsible for bringing about these several sympathetic strikes.

III.—Efforts to tie up Shipping and Transportation by Water.

Efforts to tie up C. P. N. Co.'s and other ships.—On March 13 Estes wired to several divisions:

Steamship men say will tie up all vessels tomorrow.

On the same day, A. B. Bulley, chairman of the Victoria Branch of the British Columbia Steamshipmen's Society, wired from Vancouver to the secretary in Victoria:

Call special to-night; "Charmer" (Canadian Pacific mail steamer between Vancouver and Victoria) loaded with scab freight; all coming out to-night.

Bulley went to Victoria that night, evidently with the purpose of carrying out the plan stated in his telegram.

On the same day at Victoria, the Canadian Pacific Navigation Company, however, entered into an agreement with the Steamshipmen's Society that the company would not take any 'scab' freight or baggage on any boats in the fleet, or carry coal for use on the Empress line of steamers, known as the Canadian Pacific Railway's Royal Mail Steamships, at Vancouver, without giving twelve hours notice, during which time no 'scab' freight or baggage would be handled. This agreement deprived the Steamship So-

ciety of any excuse for declaring a strike, and on the same night Bulley, after reaching Victoria, wired back to the secretary of the society at Vancouver that the terms offered by the Canadian Pacific Navigation Company had been accepted.

Strike of Steamshipmen at Victoria, March 16.

On March 16, Estes again, in telegrams sent to Winnipeg, Revelstoke, Nelson and Calgary, informed the executive officers of the Brotherhood at these points that the steamshipmen would go out on the following day. He also wired to the vice-president of the order in Seattle that he was going to Victoria that night. He went, as stated, and attended a meeting of the Victoria division of the Steamshipmen's Society, and at this meeting a strike was declared. It is to be noted in connection with this strike that the constitution of the British Columbia Steamshipmen's Society requires that before a strike can be declared, the matter must be considered at two special meetings, that all members must receive due notification, and that two-thirds of the membership must decide by secret ballot in favour of a strike. According to the evidence of one of the officers of this union, it would appear that not one of these provisions had been observed by the Steamshipmen's Society when they decided to strike. No notice of the meeting was given till 10.30 p.m. on the night Estes arrived, when the president and secretary notified a number of the men personally. About 40 out of 160 members were present, and between 12 and 1 o'clock at night, by open vote of 39 to 1 it was decided, after Estes had addressed the meeting, that a strike should be declared.

The *Charmer* was due to leave at 1 a.m., and the members of the union refused to go aboard. To prevent a crippling of the service, the other boats of the fleet had to assist the management in sending out the *Charmer*, in order that she might reach Vancouver on time to connect with the train for the east. The next day Estes

wired the chief executive officers of the division of the U. B. R. E. at Vancouver:

All steamship men struck here last night; engineers and officers of other boats scabbing as firemen and deck-hands on "*Charmer*" to-day.

Nature of Embarrassment.

The strike was so unexpected by the officials of the company that no preparation had been made for such an emergency. The men attempted to justify their action before the commission on the ground that the Canadian Pacific Navigation Company had violated its agreement with them in relation to carrying scab freight and baggage without giving them the twelve hours' notice provided. Officials of the company, on the other hand, assert that their captains had instructions not to receive or carry any 'scab' freight. In order to insure that none such would be carried, the company allowed three officers of the association to overlook the freight which was taken on board, in spite of which arrangement a scab barrel of oil found its way on board, which the company contended was brought on purposely, in order to furnish a pretext for the strike.

The action of the British Columbia Steamshipmen's Society did not affect very seriously the work of the Canadian Pacific Navigation Company, owing to the fact that the company was able to fill the places of the strikers. On the other hand, the correspondence indicates very clearly that had Estes and other officers of the Brotherhood been able to carry out the scheme which they had contemplated, all vessels carrying baggage or freight, either to or from the station at Vancouver, or carrying any coal, would have been completely tied up, quite regardless of the disastrous effects which such action might have had upon public and private interests generally.

Attempts to Organize Crews on Empress Steamers and Lake Boats.

Strenuous efforts were made to organize, as members of the Brotherhood, the crews of the Empress steamships, sailing between Canada and China and Japan; also the crews of other boats which had Vancouver

as a port, and the crews of the boats of the Canadian Pacific Railway Company which sail on the Arrow Lakes between Revelstoke and Nelson. Although these efforts were not in any way generally successful, embarrassment and loss was, nevertheless, incurred by the company in consequence of them. The fact that the strikers believed that they had succeeded in undermanning the crew of one of the Empress steamships, and caused her to leave port with her coal bunkers half full, that the Skagway boat had been compelled to leave without cargo, and that the water front was completely demoralized, and that all these statements were made with a view to stimulating the enthusiasm of the members of the Brotherhood on strike at different places, indicates very clearly to what extremes they were prepared to have gone, had their efforts in any way been followed with success, and that these bodies had become as effectually subject to Estes' control as the members of his own organization.

IV.—Efforts to stop Coal Supply.

Efforts to stop the supply of coal.—The correspondence sent by Estes to other officers of the United Brotherhood shows very clearly that efforts no less determined were made by the Brotherhood to stop the supply of coal to the railway than were made with a view to the crippling of the steamship service. In fact the two projects were intimately associated, inasmuch as the main supply of coal to the railway was brought by water from mines on Vancouver Island to Vancouver.

The Mines on Vancouver Island.

On March 4, the same day that the British Columbia Steamshipmen's Society decided that they could not handle 'scab' baggage or freight at Vancouver, and that the longshoremen and telegraph messengers came out on strike, Estes sent the message already quoted to Clarence Smith, the secretary of the American Labour Union at Butte, Montana, which may be quoted again:

Strike spreading. Revelstoke out ; 'longshoremen struck here to-day. Please have Western Federation of Miners refuse to allow coal loaded on cars, steamboats, ships or hulks at Ladysmith, Union, or other points on Vancouver Island for Vancouver. This to prevent Canadian Pacific getting coal. Rush orders by wire. Don't fail—Fight for life.

The main sources of supply to the Canadian Pacific Railway being the mines of the Wellington Colliery Company at Union and Ladysmith, it followed that special efforts were made by the strikers to stop the supply from these points. The strikes at Ladysmith and Union, which took place on March 14 and May 2 respectively, have been the subjects of special investigation by the commission, and are dealt with in a subsequent part of this report, as are the relations between the United Brotherhood of Railway Employees and the Western Federation of Miners in connection therewith. Supplementary to the facts recited there, and as showing that the coal supply at all points was a matter of first importance in the eyes of the strikers, the following extracts may be quoted from communications in the correspondence.

The Supply from other Sources.

In a letter written by direction of Estes to J. R. Lawson, of the United Brotherhood at Seattle, on the 6th of March, the following appears:—

We have managed to stop the C.P.R. from obtaining coal for their boats and engines, and we have stopped the shipment of coke into the Boundary country.

The day following a circular letter was sent out by the Vancouver division, in which, enumerating the embarrassments to which the company had been subjected in consequence of the strike, the following passage occurs:—

We have closed out their coal supply at Vancouver; prevented them from loading or unloading ships; forced them to decline acceptance of freight for shipment; prevented them from delivering freight already in their warehouses; in fact, harassed them in many ways, but we are not done yet.

On March 20, the acting agent of the division at Vancouver, writes to the agent of the Revelstoke division as follows:—

In connection with the coal supply obtainable from Canmore, will advise that the closing of

the Canmore and Anthracite mines, more especially the former, has greatly helped us. As a matter of fact, we want all the coal supply cut out altogether; although the C.P.R. claims to have coal coming from Australia and Japan, we know that they cannot get it here in a reasonable time, nor can they afford to do so.

The following appears in a circular letter sent by the chief representative of the Calgary division to the executive officers of other divisions:—

No doubt you have all heard of the accident at Frank. All coal mined at this point is consigned to the C.P.R., so that this will be another trump card for us, as the mines will certainly have to close up for some time.

In a communication dated May 7 to an officer of another union in Victoria, the writer says:

I have just received a telegram to say that the Canmore mine has given out, and that there is only one week's supply at Roger's Pass. This is splendid news.

Relation of Strikes on Railway and in Mines.

On May 13 the following appears as part of a circular letter addressed to all the officers and members of the U. B. R. E. in North America. It is written by the Vancouver agent:—

The coal situation on the C.P.R. is rapidly approaching alarming conditions. It is a fact that they are compelled to use up their reserve supply at all western points, and that supply will soon be exhausted. In fact the Roger's Pass engines are now running to Revelstoke for coal. If the U.B.R.E. strike were satisfactorily settled it would be found that the coal situation on the C.P.R. would quickly be adjusted.

The statement in the communication sent by direction of Estes to Lawson at Seattle, on March 6, that 'We have stopped the shipment of coke into the Boundary country,' would, if true, indicate, at least, that there had been some connection and joint action between the members of the Western Federation who went on strike in the mines of the Crow's Nest Pass Coal Company at Fernie, Morrissey and Michel, on February 11, and the members of the U.B.R.E. who came out on strike on the 27th of that month. This assumption gathers additional weight from the following paragraph taken from a letter dated March 30, the day on which the strike at the Crow's Nest Pass was settled, which letter was sent by a

neutral and responsible person (who had, however, the confidence of the strikers, because of the efforts made by him to effect a settlement of the dispute), to General Superintendent Marpole at Vancouver:—

Although the conciliation committee of the Provincial Mining Association has, at so much trouble, succeeded in effecting a settlement of the strike of the Crow's Nest Coal Miners, I fear if the strike affecting your company is allowed to continue it will mean a renewal of the strike if the railway is supplied with fuel from these mines, and the different interests of the province will be placed in a worse position than ever.

The significant remark contained in the circular letter of May 13 that 'If the U. B. R. E. strike were satisfactorily settled it would be found that the coal situation on the Canadian Pacific Railway would quickly be adjusted'—would show that those in authority believed that the strike situation as it had developed in the mines of the Wellington Colliery Company on Vancouver Island during the preceding months, had an intimate connection with the U.B. R. E. situation. The same opinion was evidently held by the editor of the 'Railway Employees' Journal,' the official organ of the United Brotherhood, as he writes as follows in the issue of March 12:—

Besides the power of the United Brotherhood; besides the power of organized labour throughout Canada, there has been enlisted in the cause a power that is already realized and feared for its method of doing something.

The American Labour Union has thrown its weight into the balance of justice's scales in favour of the United Brotherhood.

On the 6th inst., a telegram was directed to the American Labour Union requesting that the Western Federation of Miners stop handling coal on Vancouver Island for the Canadian Pacific Railway.

Within a few hours every member of the powerful Western Federation of Miners in Vancouver had ceased work.

There was no "ahem" or "ahaw" or letters of supplication or such Gomerian tomfoolery about it. As quickly as messages could be flashed over wires, and without a dissenting voice, but with a willingness born only of true fraternal union spirit, the Western Federation of Miners, through the American Labour Union, as a body of reserves rushing to the assistance of their comrades, administered a staggering blow to the octopus that is striving to overthrow the rights of railway men to organize when and how they wish.

Let no member of the United Brotherhood or any railroad man worthy of the name ever forget this act. If anything were lacking to cement the feelings of friendliness which the U.B. of R.E. has entertained for the A.L.U. and its members, this unquestionable display of loyalty has furnished it.

Other issues of the same journal are full of similar references, some of which assert positively that the strikes in the coal mines on Vancouver Island were directly attributable to the influence of the U.B.R.E.

As a matter of fact, the Canadian Pacific Railway was obliged to import 10,000 tons of coal from Japan, to be sure of a supply.

V.—Extensive use of the Boycott.

The Boycott.—It is difficult to assign any limits within which the leaders of the United Brotherhood were prepared to confine the use of the boycott wherever, by any possible way, there seemed to be an opportunity of causing embarrassment to the Railway Company through this means. A few instances, from a great number contained in the correspondence, are cited only as examples to show that few trades or callings could hope to escape the ban which might be put upon them in consequence of possible relationship to the railway company, by reason of what might or might not be proclaimed from time to time as 'scabbing' or 'scab' material.

It has already been seen that the strikes of the freight handlers, longshoremen, teamsters and steamship men were brought about in response to the appeal 'not to handle scab baggage, scab freight, or any other scab material of any kind while this strike is in progress.'

Building and Iron Trades appealed to.

To all engaged in the building trades an appeal was made—

Not to use lumber, paint, nails or any material of any kind whatsoever that may be handled through the freight sheds during the progress of the strike as it will be all scab material, because billed, booked and entered by scab billers, revisers or expense clerks.

To all in the iron trades appeal was made

To support us by not handling any scab material transported through the Canadian Pacific Railway local freight station until this matter is settled.

Bakers asked to Refuse Bread.

The Bakers' Union of Vancouver, in response to a general appeal of this kind, replied as follows :—

The Bakers' Union do most heartily endorse your action, and we do resolve that we will not handle any flour, butter, or any other article shipped over the C.P.R. until the strike is settled.

This offer of assistance was taken up by the strikers, and the agent of the Vancouver executive addressed the following to the Bakers' Union :—

I am directed to inform you that it is reported that W. D. Muir, baker, Mount Pleasant, has supplied the steamers "Empress of India" and "Princess May" with bread, and we are also informed that said baker is about to haul flour from the C.P.R. delivery track, contrary to union principles. You will be good enough to call the attention of your members to these assertions and advise me what steps are being taken to discountenance this action on the part of the master bakers.

With what consequences this communication was followed will appear elsewhere in a reference to the action of the Bakers' Union in this report.

Steel Girders declared 'Scab Goods.'

The following obtained from the Building Trades Council was sent for publication to the press committee of the U.B.R.E. :—

A number of steel girders from Ross & Howard's works were delivered by the Pacific Coast Transfer Co.'s teams this morning to a building in course of erection on Granville street next to the Bank of Montreal. The building is being constructed for Parr & Fee, architects, by union labour only. The Pacific Coast Transfer Co. being on the unfair list, these girders cannot go into the building until they have been made fair by being hauled back by union teamsters and re-delivered by them, or by the payment of the fine to the Teamsters' Union equivalent to such haulage. The girders referred to are now labelled 'scab goods' in plain writing.

Merchants in outside Towns asked to Boycott Vancouver.

Some of the appeals appear to have been so exacting in their nature as to have been flatly refused by organisations who would not sacrifice their interests or conceptions of justice to what they evidently regarded as an 'unfair' request.

The following communication of March 16, sent by the Miners' Union at Silverton, belongs to this class :—

While we heartily endorse the action of No. 81 in striking for its existence, we do not see how we can consistently urge our merchants to refuse to patronize the wholesale merchants of Vancouver, because they handle goods shipped

by the C.P.R., as we have no other means of transportation than that of the C.P.R.

A more reciprocal feeling is manifested in the following communications which were exchanged about the same time between the New Denver Miners' Union and the Vancouver division of the U.B.R.E. The New Denver Miners' Union writes :

We would inform you that there will be a new citizen in Vancouver from this town, whom it would pay all union men to watch and boycott. He is a scab, and an enemy of organized labour. His name is ———. He comes to open a dry goods store.

Replying to this communication, the officers of the Brotherhood say :

We note your remarks in connection with. . . and will have the matter brought up before the Trades and Labour Council at its next meeting.

Attempts to bring about Sympathetic Strikes in New South Wales.

The following letter sent to the longshoremens at Sydney, in New South Wales, requesting them not to handle freight on the Canadian Pacific Railway ships arriving at that port, will indicate the extent to which the United Brotherhood was prepared to go in the matter of endeavouring to bring about a sympathetic strike and boycott on the part of any body of men who in any way were engaged upon work connected with the business of the Canadian Pacific Railway :—

Vancouver, B.C., March 31, 1903,

To the Secretary,
Wharf Lumpers' Union,
Sidney, N.S.W.

Dear Sir and Brother :

The wharf lumpers ('longshoremens'), steamship men, railway freight handlers and other Canadian Pacific Railway employees are on strike in Vancouver, and all freight loaded at this port is handled by blacklegs, or as they are called in this country, 'scabs,' and should not consistently be handled by union men in Australia.

You will readily understand the assistance you could render us by refusing to handle this 'scab' freight, and if the time should come when you will require our assistance you can depend on us to a man.

The enclosed circular will give you an insight into the present status of this fight and you, as union men, will understand that we will not tolerate the attempt on the part of the Canadian Pacific Railway to dictate to their employees as to whether they shall organize, and with what organization they shall affiliate.

All the members of the United Brotherhood of Railway Employees at Vancouver, Revelstoke, Nelson, Calgary and Winnipeg are on strike, also all members of the British Colum-

bia Steamshipmen Society and the International 'Longshoremens of America at this port, and this action on the part of these unions is endorsed by the Trades and Labour Councils at all the affected points, as well as the endorsement, moral and financial, of nearly all branches of organized labour on the continent of North America.

The reports coming in from all points are most encouraging, and the railway business is practically at a standstill, so serious is the position of the company that men are being imported from all points of Canada and the United States and even from England.

We will cable you immediately on the conclusion of this strike, so that you may guard against fictitious messages cabled by the railway and steamship companies.

Signed on behalf of the unions affected.

To this communication were attached the names of the president of the United Brotherhood of Railway Employees, the president of the British Columbia Steamshipmen's Society, the president of the Longshoremens' Union, and it was endorsed by the president and secretary of the Vancouver Trades and Labour Council.

Finally, that no part of the system might escape, Estes, about the end of May, secured from the convention of the American Labour Union at Denver a resolution, denouncing the whole Canadian Pacific Railway as unfair. He also managed to get an appropriation of \$500, as a contribution from the American Labour Union to the resources of the members of his Brotherhood on strike, although he asked for \$5,000.

VI.—Treatment of Non-Strikers.

Treatment of persons who refused to strike.—Attention has already been directed to the efforts made on the part of the strikers to organize other classes of the company's employees, and of men whose work was in no way connected with the business of the company, with a view of bringing out these men in support of the strikers. As an indication that in pursuing these tactics the Brotherhood was not very particular as to the manner in which new members were admitted to its ranks, the following telegram from Estes at Vancouver to Halton at Montreal, on March 10, may be cited :—

Press reports say 400 clerks Montreal striking. Organize them on any terms.

The most strenuous efforts appear to have been put forth in the direction of intercepting any men brought by the company to fill the places of strikers, or who of their own accord might have sought employment in consequence of the vacancies created by the strike; also to make as miserable as possible the lot of any man who might, in the opinion of the strikers, have come to be regarded as a 'scab.'

Efforts to prevent Men Working.

A member of the order was sent to Seattle to prevent the company from procuring substitutes in that city. Members of the order in Montreal were instructed to inform emigrants of the conditions existing in British Columbia. Advertisements were inserted in the papers throughout the Dominion warning men to keep away from the coast.

An oiler on the steamship Joan received the following intimation from the secretary of the Vancouver division:—

Strike executive asks you and other two to come out.

Instructions were sent from the same officer in reference to another individual at Nelson, in the following words, by wire:

Jensen working; pull him out, by order of Massey [the itinerant executive head from Seattle].

'Princess May's crew ordered out, war declared, order out C.P.N. fleet—

were the words sent over the wires from Vancouver as a command to an executive officer of the British Columbia Steamship-men's Society from a fellow officer in Vancouver, when it had been determined that all persons should be brought out on strike.

Meet 'Mainlander.' I coralled seven, but some escaped me—

was the wire sent from an agent of the Brotherhood in Seattle to the chief executive officer, on March 16, as the report of his zeal and misfortune in this connection.

In Vancouver and other cities affected by the strike, committees of strikers were told off to persuade men to refuse to work for the company. Where men had accepted positions vacated by strikers they were

made to suffer as many inconveniences as possible. Efforts were made to prevent them from getting accommodation in hotels and boarding houses. An effort was made to organize the waitresses in the Canadian Pacific Railway hotel at Revelstoke, so that they would not serve the 'scabs.' Merchants were urged in some cases to refuse to supply them with goods. Their names were put, together with names of persons who had declined to quit work, in a black-list, which was published in certain labour papers and other periodicals. The oath which had been administered to members of the organization was brought to the attention of those who wished to withdraw as a solemn obligation which they were forced to respect, and men who returned to work without permission of the union were referred to in circular communications, which were sent to different parts of the country, as having 'forfeited all rights to the respect of their fellow men, and not deserving of the least sympathy.'

'Scabs' Molested.

The following may be quoted from communications which passed between executive officers of different divisions. The officer at Nelson writes as follows:—

We expect a number of would-be scabs in by to-night's train from Vancouver, but our picket is all set for them and will attend to them. This committee (picket) is doing good work, and has been instrumental in having the majority of the scabs ejected from their boarding houses and otherwise making it unpleasant for them.

A man went to Eholt to scab. He remained there one day, then returned to Nelson on account of his not being able to get anything to eat or a place to sleep. He has since been given employment by the company here, and has already been told to get out of two boarding houses here.

Calgary division is advised as follows by the Vancouver division:—

In connection with that scab working in the baggage department, use every effort to get him away. Get after the place that supplies him with grub, and induce them to shut off the supply. If he takes his meals at the station eating house get the girls after him. That course of action is working well in Revelstoke, and the lives of scabs at that point are made doubly miserable.

Winnipeg division writes as follows:—

We have dropped our pickets, and have put on a system of paid specials who put in half

time. They are in charge of a chief special. These men, with additional assistance, follow all scabs that have the nerve to board down town, report to a special committee who interview the landladies with a view of getting these scabs out of their boarding houses. We have been very successful along these lines, and intend to bring the name of scab home to everyone of them.

In a circular letter of May 1, addressed to all officers and members of the United Brotherhood of Railway Employees in North America, the following appears:—

The strike situation at Vancouver, Revelstoke and Winnipeg remains about the same as at last writing. At Vancouver a number of scabs seem to have met with accidents in some unaccountable manner.

If they receive them whilst at work they must surely be very awkward and unaccustomed to the work they are doing, for the men whose places they are attempting to fill, were never seen with bandaged heads or black eyes.

Permission to 'Scabs' granted on occasions.

It must not be supposed, however, that it was not possible for a man to 'scab' with the permission of the division. On March 10 a permit was issued under the seal of the United Brotherhood, allowing two train baggagemen, who had joined on February 19, to follow their calling during the strike, until such time as the same was cancelled by order of the division. The object doubtless was to avoid a collision with the Order of Railway Trainmen, to which these men also belonged, and with which the company had an agreement.

Dispensation from the pains and penalties of scabbing was also granted to the crew of the 'Aorange,' to enable them to handle a shipment of frozen meat. 'Scab' permits were also issued to team drivers on special occasions during the strike.

The following permit was issued to one John Lane, a member of the crew of the 'Charmer':—

John Lane, Esq.,

SS. 'Charmer,' at Vancouver.

Dear Sir,—This will be authority granting you the right to continue at work on the SS. 'Charmer,' and will be effective until cancelled and withdrawn.

(Sgd.) J. TURNBULL,

For Executive Committee.

Approved.

(Sgd.) GEO. ESTES,

President.

On the same date Lane was authorized by the same authority to 'organize for the U.B.R.E. Vancouver Division 81.'

It must also be noted that, according to Estes, there are 'scab' unions, and the effect of the declaration by the American Labour Union that the whole Canadian Pacific Railway was unfair is, of course, to stigmatize all the existing railway unions who have all disregarded the declaration, as scab unions.

All of which goes to show that the term 'scab' is of elastic signification.

Attitude of other Railroad Brotherhoods toward the U. B. R. E.

The attitude of the several existing railway organizations towards the Brotherhood in its conflict with the Canadian Pacific Railway is important as illustrating the difference between methods pursued by legitimate and responsible unions in the matter of dealing with their employers, and the purposes and method of working pursued by an organization like the U.B.R.E. Although urgent appeals were made by the Brotherhood to all of the several railway organizations, as the Locomotive Engineers, Locomotive Firemen, Railway Trainmen, Conductors, Telegraphers, and Maintenance-of-way men, for their co-operation and assistance, it does not appear that the United Brotherhood received a single cent from the local lodges or members of any of these organizations. In fact there is direct evidence to show that as an organization it was discountenanced from the outset by the several existing orders of railway employees.

The following extract taken from the 'Advance Advocate,' the official organ of the Maintenance-of-way Employees, published monthly at St. Louis, Mo., contained in the April number of that publication, may be taken as giving an epitome of the views entertained by the majority of members of the several class organizations of the United Brotherhood and its president, as well as their estimation of the purposes for which it was created, and its likelihood

of future success. The Maintenance-of-way employees were among the last of the several classes of railway employees to become organized into a body of their own. The extract from the article is as follows :—

In a recent address in San Francisco, Cal.; one Estes, who is president of a mixed organization of railway employees which has attracted some attention on the Pacific coast, stated that 'no effort had ever been made to organize the trackmen' until the task was undertaken by the organization he represents. Mr. Estes knew that he was stating a falsehood at the time, for he knew of the existence of the Trackmen's Brotherhood at the time when he was fighting hard to have his ambitions recognized, and to have himself elected president of the O.R.T., but since those who know him best decided that he was not the man to lead the hopes and to preside over the destinies of the 'men of the key,' and turned him down very coldly in that organization, and since none of the other established railway organizations saw fit to take up Mr. Estes and his grievances, he decided he would start a little organization of his own, not so much for the good he might do to the toiling thousands in the railway service, as for the purpose of securing funds from them to carry out his work of retaliation against those who failed to see and recognize his greatness. If Mr. Estes thinks it will be anything to his advantage to utter such palpable falsehoods as the one above referred to, he has placed a different estimate upon the character and intelligence of men in the railway service to that which has been held by the real leaders of organized labour. Men in the railway service who have shown themselves to have the intelligence to get together, the determination to stick together, and the courage to fight together for improved conditions, prefer to remain in their class organizations which have shown ability to secure results. Many of these men remember with sorrow their previous connection with general organizations like the K. of L. and the A.R.U., which failed miserably in their efforts to hasten the millennium, and they feel that it is only a question of time—and a short time at that—when the U.B. will follow the K. of L. and the A.R.U. to the shades of the bone-yard. No permanent good results can come to labour through an organization whose principal mission is to disorganize established unions.

Opinions expressed in Journals of Class Organizations.

A circular printed for general distribution and addressed to 'Members of properly constituted and recognized unions,' appeared at the time of the strike in Vancouver. It contained extracts from editorials in some of the journals of the regular orders, and the following among other references may be quoted as further illustrating the estimation in which the United Brotherhood of Railway Employees is held by the class orders :—

The U.B.R.E. has appealed to the trades organizations of Canada for sympathy. Naturally they have to, for the other railway organizations recognize the enmity of this organization pirate in the same manner they would the enmity of an unfriendly corporation. There is no friendship, no sympathy for it, for it is recognized as the agent of disruption and disintegration and nothing less than an attempt to destroy what has been done by the older organizations.

The officers have gone into Canada and lied deliberately to bolster up their organization. They have intimated that they have secured the schedules for train and engine service on the Southern Pacific lines, and the statements are false, for those schedules are made with the older organizations. They have paraded the fact that they destroyed the Southern Pacific relief plan, and they lied out of the whole cloth when they said so. At the time the Southern Pacific relief plan was placed before the men there was no U.B.R.E., and the old organizations, the insurance fraternities, and the people of the coast are united against it, and it was killed by their influence. The U.B.R.E. had nothing whatever to do with it, it had not even been started, yet it has gone into Canada preaching its success and leading the railway employees into trouble.

In the United States the U.B.R.E. movement has fizzled down to the unorganized trades, for the men in the train and engine service understand that this movement is simply another American railway union, with its loud sounding pretenses, its traitors, who have violated their obligations to their organizations, its destroyers of unionism, its place hunters and impractical schemers, that may cause a little flurry of excitement for a time, destroy what has been done in some instances and leave wreck and ruin in its train.

As far as the Brotherhood of Railway Trainmen is concerned, there will be no false sentiment in dealing with it. Wherever it shows itself interfering with the work of the organization right there it will meet the opposition of the brotherhood in a way that will not be conducive to its organization peace of mind. The 'Journal' dislikes to be compelled to take this position, because quarrels between labour organizations seldom do much good. But this has been forced upon us, and there will be no mistaken feelings of delicacy in meeting the question wherever it arises. It was organized by discontents, office hunters and enemies to the labour organizations that have accomplished the greatest work that labour organization has to its credit. We will oppose every action on their part that threatens our organization. There will be no pandering to sickly sentiment that calls for 'glad hands' and brotherly feelings, but the traitors who violate the rights and laws of the brotherhood and expect that appeals made in the name of unionism will be heard, until they have wrought their purpose, will be turned down hard.

The freight handlers' strike in Chicago, and the sympathetic strike of the teamsters is another case in point that should prove to every member of a labour organization the fallacy of the sympathetic strike as the means of adjusting disturbed labour conditions.

Estes' opinion of other Railway Organizations.

That such are the opinions held by the regular unions of railway employees of the

United Brotherhood is not to be wondered at in view of the manner in which these unions have been characterized by the president and members of the United Brotherhood at different times. Speaking at a mass meeting in Vancouver during the course of the strike, President Estes is reported in an official account prepared by U.B.R.E. officials, to have said :—

There are orders and orders, religions and religions, unions and unions, some so constituted that they cannot carry out the true laws of unionism. This, he (the speaker) had practiced at the start and this had come true.

These orders were a curse to railway employees, because they were under the control of capital. These truths might hurt, he knew that, and the men might hate him for making such statements—it was his duty to speak plain—he could not help it—his statements were true. Glass orders and contracts make men scab; one cannot get away from that. The recent ruling of the Trades and Labour Council hurt, he would sooner see men scab without a contract than with one, because with one it made the action appear to be premeditated. One is simply forced into it, and the only solution was to get out of such an order.

Blacksmiths' International Union refuses to Sanction Strike at Revelstoke.

A number of men who were on strike at Revelstoke were members of the International Brotherhood of Blacksmiths, which order had, at that time, an agreement with the Canadian Pacific Railway covering the terms and conditions of employment of its members in the shops at Revelstoke. They had, however, become members of the United Brotherhood of Railway Employees as well. When the latter went on strike there at once arose a conflict of jurisdiction as between these two orders, the executive officers of the Blacksmiths' Union taking the ground that no members of a local union belonging to the International order had any right to violate a contract which they had with their employers.

As soon as it was brought to the notice of the headquarters executive of the Blacksmiths' Union at Moline, Illinois, that the local at Revelstoke had gone out in violation of its contract, a member of the executive board came to Revelstoke, investigated the matter, and ordered the men back to work immediately, on penalty, if

they refused, of being expelled from the union. This action on the part of the member of the executive was reinforced by messages from headquarters stating that the men 'must religiously observe agreement with company.' The men thereupon returned to work.

The U.B.R. refuses to allow Revelstoke Strikers to return to work.

When these matters were first considered by the Brotherhood, Estes, in a letter to Mr. Marpole, of the 5th March, says:

We regret we cannot authorize the machinists at Revelstoke to return to work, as until the whole go back they would have to work with non-union labour, which they will not do.

The next day Forrest, at Revelstoke, was informed as follows by the Vancouver division :—

As advised Brother Inches, a machinist by the name of Dunn left here yesterday at the request of the C. P. R., with the intention of prevailing upon the machinists at that point to work. Brother Estes won't permit this. You can understand the disadvantage we would be under were they to return to work.

In a letter of March 9 to the agent of the division at Revelstoke from the agent of the Vancouver division, the latter says:

Brother Estes has instructed me to reply to your letter of March 7, which, owing to press of business he is unable to undertake. I am, however, directed to say that under no circumstances will the machinists be permitted to return to work at Revelstoke until we win the fight.

Estes' communication from Victoria to Halton at Vancouver on the 23rd of March, after the machinists at Revelstoke had returned to work, is rather characteristic. Referring to this matter, he says :—

Your telegram of yesterday received. I will do the best I can on the machinists' proposition, but the result has been just as I expected, and just as it always is in cases where 'class' organizations are concerned. We must fight the battle without the Revelstoke machinists, and fight it we will, and win, if our other men stand firm Had I been free here the machinists would never have returned to work at Revelstoke.

Boilermakers' International Union refuses to Sanction Strike at Vancouver.

A strong effort was made by the United Brotherhood to have the machinists and boilermakers in Vancouver, as well as at

Revelstoke, come out on strike. To place his lodge on a sure footing in the matter, the secretary of the local of the Brotherhood of Boilermakers and Iron Shipbuilders at Vancouver wrote to headquarters at Kansas City, explaining the situation to the executive board there. The following reply, received by the secretary from the grand president, speaks for itself:

Brotherhood of Boiler Makers and Iron Ship
Builders of America.

Kansas City, Kas., April 11, 1903.

J. H. Watson, Esq.,
Cor. Sec., L. No. 194,
Vancouver, B.C.

Dear Sir and Brother,—

Now, in regard to the boilermakers working on the Canadian Pacific Railway, will say, that under no consideration will we allow any of our members to violate a contract, and if any of the men attach themselves to any dual organization, or go out in sympathy with any other organization and violate their contract, they will immediately annul their card, and a lodge that will encourage them to do so, we will call in their charter. We appreciate the sanctity of a contract, and if we do not live up to contracts, in a very short time the employers will refuse to make any with us. I hope you will so notify those members, as you can rest assured that we will do just as stated in this letter.

With best wishes and regards, I remain,

Yours fraternally,

(Signed) JOHN McNEIL,
G. P. O.

The jurisdiction of the Vancouver local of this Brotherhood extended as far as Revelstoke. A member having gone out at that point, he was fined \$25 by the union for violation of its rules.

Instances of Interference on part of Officers of Unions in United States.

It is to be regretted that these instances cannot be cited as without exception on behalf of international bodies, in the matter of their regard for the sacredness of contract between members and their employers. The action of the International Brotherhood of Boilermakers two years previous, in regard to a contract between its members in Victoria and the Albion Iron Works, which came to the attention of the Commission at its sittings in Victoria, and the action taken by the International Bakers and Confectioners' Union during the present strike at Vancouver, show a serious lack of appreciation of the respon-

sibilities of executive heads, and an unwarrantable interference in matters of local concern.

The Case of the 'Garonne' Contract.

In March, 1901, a contract was entered into by the Albion Iron Works Company of Victoria with Frank Waterhouse of Seattle, for the repairing of a ship, the 'Garonne,' of which he was the owner. The contract had originally been given to the firm, Moran Bros., of Seattle, but owing to their men in the moulding and machine department having gone on strike for higher wages, Moran Bros. were unable to complete the contract. In order to have the work completed in time, Waterhouse arranged that Moran Bros. were to give up the contract, and a new contract was to be entered into with the Albion Iron Works Company. Before accepting this contract, B. Seabrooke, at that time manager of the Albion Iron Works, called a meeting of the Boilermakers' Union of Victoria, of which the men in his employ were members, showed them the total correspondence in regard to the matter, and left it to them to say whether or not the Albion Iron Works might take the contract. They said that it would be all right, and agreed to work on the ship when it was brought over. Seabrooke thereupon drew up a telegram, which was submitted to the union, and approved by it. It was addressed to Waterhouse at Seattle, and was to the effect that Seabrooke could take the contract, and would leave that night for Seattle. After arrival there a contract was entered into with Waterhouse, a condition of which was that in the event of it turning out that the Albion Iron Works could not complete the contract on account of any trouble with its union boilermakers, the company should pay the expenses of the ship both ways. On the expenses being guaranteed the contract was closed. No contract of any kind was made with Moran Bros., the dealings of the Albion Iron Works Company being entirely with Waterhouse. The amount involved in the contract was estimated at between \$30,000 and \$35,000.

The Seattle Union.

A committee of boiler-makers from Seattle came to Victoria on the same boat by which Seabrooke returned. He did not know that they were a committee, but thought they were boiler-makers coming over to get work on the boat. On the following morning (the 'Garonne' having arrived late that night), when repairs were started, the boiler-makers refused to work. The committee which had come over from Seattle had held a meeting with the boiler-makers, and claimed that the job was an unfair one, and would not allow them to go to work. The machinists and other trades took hold of the work without asking a question, but the boiler-makers refused.

At the time Seabrooke had first consulted with his men only the machinists were on strike at Seattle, and not the boiler-makers, but before he left Seattle with the ship, the boiler-makers in Seattle had gone out. When he returned he called the men together and told them that he would not ask them to carry out the contract on the wages first agreed upon, but that he would give them what was being demanded by the men in Seattle. The boiler-makers had given him notice some time previously that they would go out on a certain date if better terms were not granted them. These terms were conceded, and they promised Seabrooke at the meeting that afternoon that they would go to work the next morning. This was before they had any interview with the Seattle committee. When asked on the following morning why they would not go to work, the men stated that they could not, owing to instructions from the committee which had come over from Seattle. The committee had informed them that the Seattle boiler-makers regarded the job as 'unfair'; that they, as well as the machinists, had had trouble with their employers. After having had several meetings with the boiler-makers and being unable to effect a satisfactory arrangement, Seabrooke was obliged to take the other men off the ship and send her back to Seattle,

notwithstanding that between \$300 and \$400 worth of work had been done. The total loss to the firm in consequence of its undertaking to pay the expenses of the ship both ways in the event of the contract not being carried out, and of the loss of the work which had been partly performed, was about \$1,250. The local union offered to reimburse the company. They regretted their action, but claimed that it was against the rules of the international union to work on the ship.

Losses to Company and Men in consequence.

There were several other jobs which might have been secured, but the company was obliged to reject them. The company estimated that in consequence of this incident, over \$100,000 worth of work was lost to Victoria, of which about 75 per cent would have gone to workmen in their employ as wages.

The manager of the Albion Iron Works interviewed not only his own men, but also the committee from Seattle, at the time of this occurrence. At these interviews one of the members of the Seattle committee did most of the talking, and as far as the manager was able to judge, the difficulty could have been got over but for this individual.

The president of the local boiler-makers' union at Victoria agreed in substance with Seabrooke's statement of the facts, but his idea seemed to be that the union had entered into the agreement on the footing that there would be no trouble between the boiler-makers at Seattle and their employers. However this may be, the president stated that even after the Seattle committee had conversed with them, they were prepared to go on with the work if the consent of the executive board at Kansas City could be obtained. In his evidence this witness said :

We asked the lodge at Kansas by telegram what to do, explained as far as we could the facts of the case ; that the Seattle men claimed it would assist them ; that we had given our promise to do the work, and that we were willing to do the work if we could get the consent

of the Supreme Lodge. The nature of the reply was that we were not to work on the job on account of the Seattle union—we were to work in conjunction with Seattle.

The witness explained that had the work been gone on with, notwithstanding that all conditions asked for by the men in Seattle had been granted by the Victoria firm, the charter of the Victoria lodge might have been taken away, and its members declared 'scabs' and their names so posted all over the continent of America.

Action of Vancouver Bakers' Union at instance of U. B. R. E.

Muir, the baker, referred to in the communication quoted from the U.B.R.E. officers to the Bakers' Union in Vancouver, and certain of his employees, testified before the Commission as to the course pursued by the Bakers' Union in consequence of their decision to assist the strikers, and its effect upon them. Muir said that he received a communication from the secretary of the Bakers' Union, requesting him not to supply the 'Princess May' with bread. When he refused to do this, on the ground that he had been supplying bread for two years to the C.P.N. steamers, he received word that his shop would be put on the unfair list, and his employees, to the number of eight, who were members of the union, were ordered out on strike. Six of the men refused to obey the order of the union and were expelled. Two left his employ. As a further consequence of his refusal to stop supplying bread to the 'Princess May,' several men quit buying bread from him, and an effort was made to induce others to follow their example. In his evidence on this point, Muir said: 'At the time six men were taken out of my shop. Several men belonging to the Bakers' Union went to a lot of places in the city, grocery stores, hotels, restaurants and other places, and solicited them to quit buying bread from me.' As a consequence of this action some of the restaurants stopped buying his bread, and he lost the custom of forty-three private houses.

As a further evidence of the manner in which his business was embarrassed in consequence of the action of the strikers, Muir gave the following: 'I had a carload of flour consigned to me, and as the teamsters were on strike I could not get it delivered. I had to use the wholesale warehouse, have the flour put in there, and get it delivered from there Why I had to take the flour from the wholesale house was because my union men would not take it if it was hauled by non-union teamsters. I had to do this way to get the union to handle it. They would take it from the sidewalk, but not from the track. I sent one of my men up and we brought it through this wholesale grocery.' That disinfected it.

It should be noted in this connection that Muir's shop had been a union shop for some time, and that he had a written contract with the Journeymen Bakers' Union, which was to stand good until the 1st of July. As a consequence of the breach of contract on the part of the union, and their action towards him, Muir declared that his shop would be a non-union shop in the future.

Union Principles and Constitution Violated.

George Nelson, a baker in Muir's employ, testified that at the time the appeal was made to the union the bakers in Muir's employ should be called out on sympathetic strike, he wrote to the headquarters of the union at Cleveland, asking whether the local union, of which he was a member and officer, could order out on strike when his employer was acting up to his agreement with the union as to wages and hours. For having written to headquarters of his own initiative Nelson was fined \$25, and having refused to pay his fine was expelled from the union. This was two days before the six other bakers in Muir's shop refused to go out on strike on the orders of the union, and were also expelled. The Bakers' Journal of May 23, inserting the names of all these men, contained the following notice :—

The following men are expelled from Union 46, Vancouver, B.C., for scabbing in Muir's shop of this city. [Names given].

By order of the union,
MURDO MACLEAN,
2160 Westminster Avenue, Vancouver.

The constitution of the Journeymen Bakers and Confectioners' International Union, of which Vancouver Union No. 46 was a local, contains the following, as Article 9 (that part of the constitution which deals with the question of strikes):

Section 1. In case of difficulties between employees and employers it becomes the duty of local unions to prevent strikes as much as possible by attempting to settle such difficulties in a peaceful way. Only in the event that all attempts at a peaceful settlement shall prove of no avail, or if the demands of the employers should be beneath the dignity of the employees and contrary to the principles of unionists, a strike shall be resorted to.

Section 4. Strikes can only be declared when three-fourths of the members in good standing vote in favour thereof. The same vote is required to declare a strike ended.

Section 8. No strikes shall be decided upon unless every member has been invited in writing or personally by an officer of the union to attend the meeting where it is to be acted upon.

In his evidence as to the manner in which this strike had been declared, Nelson said that written notices were not given to anyone in the shop in which he was employed, and that the strike was declared by less than a two-thirds vote.

Strike of U. B. R. E. conducted mostly by Funds from United States.

It is rather remarkable that during the whole of its struggle, the aid given to the Brotherhood by Canadian unions was comparatively insignificant. The strikers were successful in obtaining an endorsement of their actions from a number of Canadian unions, and even from the Trades and Labour Councils of a few cities, but most of the financial assistance came from unions in the United States affiliated with the American Labour Union. The manner in which some of these appeals were made is interesting, as revealing the way in which Americans were induced to render assistance to the Brotherhood at this time. Exhibit No. 37, filed with the Com-

mission, is a circular addressed—'To all unions affiliated with the American Labour Union.' It is printed on paper intended to represent the official letter paper of the Brotherhood—

United Brotherhood of Railway Employees,
General Offices,
210-211, 573-574 Parrot Building,
San Francisco, Cal.

appears at the top to the left. The circular is signed—

Yours for industrial unionism,
GEO. ESTES,
President, U.B.R.E.

Estes being in Canada at the time, reference is made to this country at the head of the circular in these words, to the right—

Executive Office,
President's Headquarters in the Field,
Vancouver, B.C., March 27, 1903.

The circular in the lower left-hand corner has the following—

Headquarters American Labour Union,
Butte, Montana, March 31st, 1903.

We approve and endorse the above appeal.

(Sgd.) CLARENCE SMITH,
Sec'y. A.L.U.

DANIEL McDONALD,
President A.L.U.

The circular itself, after giving an account of the situation, in terms which are very exaggerated and misleading, concludes as follows:—

To win this fight we must have all the financial help possible and as quickly as possible, and we urgently appeal to all unions affiliated with the A. L. U., whose principles we believe in and uphold, to send us financial aid in as large amounts as possible, and to continue aiding us until the fight is won.

Numbers concerned in Strike and Affected by Settlement.

According to the statement of the Brotherhood's counsel before the Commission there were at the time of its sittings in Vancouver, about 1,000 employees in all on strike; this included Longshoremen, Teamsters, Steamshipmen and members of the U.B.R.E. at different points. The following statement put in by the company

indicates the number of the latter whose places had not been filled at the time :—

Vancouver—

General freight office.. . . .	5
Supt. telegraphs office.. . . .	10
General superintendent's office..	1
General superintendent's account- ing department.. . . .	12
Passenger department (depot ticket office)..	2
Stores department.. . . .	13
Baggage department.. . . .	4
Freight office.. . . .	127
Mechanical department.. . . .	23
	— 197

New Westminster—

Operating department.. . . .	3
------------------------------	---

Revelstoke—

Operating department.. . . .	7
Mechanical department.. . . .	58
	— 65
Golden.. . . .	1
Field.. . . .	1

Nelson—

Mechanical department.. . . .	6
Operating department.. . . .	17
	— 23
Rossland.. . . .	3
Greenwood.. . . .	1
	— 294

All these strikes were declared at an end in consequence of the agreement arrived at during the sittings of the Commission.

CHAP. III—DISPUTES IN THE COAL MINES OF BRITISH COLUMBIA DURING 1903.

THE coal mining properties of importance operated in British Columbia during the present year are the mines of the Crow's Nest Pass Coal Company at Fernie, Morissey and Michel, situate in East Kootenay; and the mines of the Wellington Colliery Company at Extension and Union, and the mines of the Western Fuel Company at Nanaimo on Vancouver Island. It is a singular fact that since the commencement of the year there has been a strike in every one of these camps, and in all, without exception, local unions of the Western Federation of Miners have been concerned.

Strike of Employees of Crow's Nest Pass Coal Company at Fernie, Morissey and Michel.

The first of these strikes was the strike of the miners in the employ of the Crow's Nest Pass Coal Company, where the main question at the outset was one of recognition of a district union comprised of representatives from the local lodges of the Western Federation at Fernie, Michel and Morissey. This strike was commenced on February 11, and lasted until March 31; it involved in all about 1,500 employees.

Strike of Employees of Western Fuel Company at Nanaimo.

The second strike was that of the coal miners in the employ of the Western Fuel Company at Nanaimo, who were members of the Nanaimo Miners' Union No. 177, of the Western Federation of Miners. This strike commenced on February 16, and was terminated on the 26th of the same month. The cause of the dispute was the withdrawal by the company of an allowance of 25 cents per day, which had been paid to miners working with safety lamps, on the introduction of an improved and more costly

lamp. On the restoration of the allowance the men resumed work. Between 600 and 700 employees were affected by this strike.

Strikes of Employees of Wellington Colliery Company at Ladysmith and Union.

The third strike was that of the employees of the Wellington Colliery Company at Ladysmith, which commenced on March 12, and as the result of which the mines of the company at Extension were closed, and remained closed until July 3. About 800 employees were immediately affected by this strike. The last strike occurred in the mines of the same company at Union on the 2nd of May. Between 300 and 400 miners have been affected by that strike, which is still unsettled.

Investigation of these Disputes.

It was our intention to inquire fully into the causes and circumstances of all these strikes, but owing to the limited time at the disposal of the Commission it was found impossible to investigate the facts and circumstances connected with the strike of the several mines of the Crow's Nest Pass Coal Company. In view, however, of the fact that this strike was made the subject of a special investigation by a conciliation committee constituted under the auspices of the Provincial Mining Association of British Columbia, and that operations had been resumed before the Commission was appointed, the omission of more than a passing reference to it in this report is not as important as it might have been had the dispute not been settled, and its main features already disclosed to the public through authoritative sources.

The strike of the employees of the Western Fuel Company at Nanaimo was investi-

gated by the Commission, and an account both of its causes and of the settlement will be found in the evidence taken at Nanaimo, which is submitted with this report. In view of the larger issues which came to the attention of the Commission in its investigation of the strikes at Ladysmith and Union, and because there did not appear to be any difference of opinion between the parties as to the nature and cause of this dispute, which was of short duration and not far-reaching in its effects, it has not appeared to us necessary to make more than mention of the fact of its occurrence.

Strikes at Ladysmith and Union specially important.

The strikes at Ladysmith and Union, on the other hand, have been of a most serious nature, both as regards the way in which they were brought about, and the great inconvenience and loss which they have caused to the people of Vancouver Island in particular, and the province in general. The strike at Ladysmith having been in existence for seven weeks at the time the Commission commenced the inquiry, we felt it expedient to make this strike the first subject of investigation. The strike at Union commenced only a day or two before the Commission began hearing evidence in regard to the strike at Ladysmith.

The Extension mines are about 12 miles distant from the town of Ladysmith. Mining operations were commenced at this place about six years ago, shortly after which a number of houses were built by the miners, and a small mining town established there. Owing to the orders of the president of the Wellington Colliery Company, the miners at Extension were compelled to give up residing at the mines, and take up their residence in the town of Ladysmith. It is now over a year since most of the miners who at one time might have resided at Extension have had their homes at Ladysmith. This separation of the places of work and residence is apt to give rise to some confusion unless it is borne in mind that when Ladysmith miners are referred to, what is meant, in reality, are the miners who work at Extension and reside at Ladysmith. A similar confusion is apt to arise in speaking of Union and Cumberland. The two places are situated side by side, separated only by an imaginary line, and both are sometimes referred to under one designation, as Comox, which is the name of the electoral district in which they are situate. Where, therefore, reference is made to either Cumberland or Union, or the mines at Cumberland or Union, this interchangeability of names should be kept in mind.

CHAP. IV—THE STRIKE AT LADYSMITH.

ON Sunday, March 8, a mass meeting of the Extension Miners was held at Ladysmith. Between 300 and 400 of the company's employees were present. James Pritchard and Samuel Mottishaw, sr., two Extension miners, were chosen respectively as chairman and secretary of the meeting. The notice calling the meeting, which was not signed, and did not state any object, had been put up on the day previous at the Post Office at Ladysmith. According to the minutes of this meeting, as filed with the Commission, and the evidence of the witnesses who testified in regard to it, the chairman first explained that the meeting had been called with a view of asking for an advance of 15 per cent in wages. The subject was left open to the meeting, and the question of sending a deputation to James Dunsmuir, the president of the Wellington Colliery Company, discussed. It was suggested in opposition to this that the employees should first form themselves into an organization, but that in view of the attitude of the company towards unions in the past, it would be useless to form a local organization. A motion was then put to the meeting that 'the demand of a 15 per cent increase be waived, and that, instead, the men organize in the Western Federation of Miners.' It was urged by those who supported this motion that the Western Federation was a numerous and powerful body and that it could be counted on for financial support in the event of the local union encountering difficulties with the company. An amendment that a secret ballot should be taken on the subject was proposed and carried, but after considerable argument and discussion was withdrawn, and the question as to whether or not a local union of the Western Federation should be formed was decided by a show of hands. The minutes record the result of this vote

as unanimous, but from the evidence of certain witnesses who were present it would appear that few had voted against the proposal. The secretary was instructed to notify James A. Baker, the Canadian organizer of the Western Federation of Miners, as quickly as possible, to form a branch of that organization at Ladysmith, and a motion was carried that those present would agree to stand by any miner who might be discharged by the company through taking steps to join the Western Federation of Miners.

**Ladysmith Miners decide to join
W. F. of M., March 8.**

Mottishaw left Ladysmith on the first train for Nanaimo, and after a conversation with Thomas Shenton, the secretary of the Nanaimo union, the following telegram was sent to Baker :—

Urgent request for your presence; come to Nanaimo if possible immediately.

This telegram was not signed by Mottishaw, the secretary of the Ladysmith meeting, but by Shenton.

On Tuesday, March 10, Pritchard and Mottishaw, the president and secretary of the Ladysmith meeting on the Sunday previous, were discharged, also two other miners, S. K. Mottishaw, jr., and Robert Bell. No reason was given for their summary dismissal, but as all four had been prominent in connection with the Sunday meeting, there was no doubt in the mind of anyone concerned as to the cause. On the same day an official notice was posted by the Wellington Colliery Company at the mines and the depot, stating that on April 1 the mines would be closed, and notifying the men to take out their tools on that date. No reason was stated in the notice why the company has decided on this course of action.

Strike declared at Ladysmith on March 12.

A mass meeting of the miners and mine labourers was immediately called for the following Thursday, the 12th of March. At this meeting, which was held at Ladysmith in the morning, the dismissal of Pritchard, Bell and the two Mottishaws was announced, and a motion carried that the meeting reaffirm its adherence to the resolution of March 8, wherein it had been decided to stand by any man who might be discharged because of having taken part in the meeting on that day. It was then moved and seconded that the secretary be instructed to write Mr. Dunsmuir in regard to reinstating the men who had been discharged. In amendment to this motion it was proposed that a committee be appointed to interview Mr. Dunsmuir on the matter. Finally, an amendment to the amendment was moved and subsequently carried, as follows: 'That we stay as we are until Mr. Baker arrives and organizes us as a branch of the Western Federation of Miners, before we approach the company with regard to reinstating men that were discharged.'

Abiding by the terms of this resolution, the men did not return to work, and it became necessary for the company to close up the mines. It was claimed by some of the witnesses who testified before the Commission that as the company had posted the notice requiring the miners to take out their tools on April 1, and had discharged persons who had been prominent at the meeting at which it was decided to organize a branch of the Western Federation of Miners, the cessation of work which ensued was in the nature of a lock-out rather than a strike. In view, however, of the fact that events might have transpired in the interval which would have caused the company to alter its decision as to the closing of the mines of April 1; and the fact that the quitting of work was in consequence of a resolution passed by the miners themselves, and voluntarily adhered to by them, it would appear that the *status quo* was altered of their own initiative, and that

their collective action in quitting work under the circumstances constituted a strike.

There were, at the time the strike was declared, about 800 employees in the mines at Extension, all of whom became involved in the strike.

Local Organization of W. F. of M. formed March 15.

On Sunday, the 15th of March, Baker arrived at Ladysmith. A meeting of the miners was held that day, and a local branch of the Western Federation of Miners, known as 'Enterprise Union, No. 181,' was formed. It was stated before the Commission by officers of the union that about 600 miners and miners' helpers had joined at the outset, and about 200 more in the course of the following weeks. Some of the witnesses testified to having joined, not from any particular desire to become members of the Western Federation, but simply because they wished to have a voice in any collective action which might be taken by the union whereby their interests might be affected.

The events, as here recorded, considered by themselves, and irrespective of other incidents and happenings at the time, are calculated to give the impression that the strike at Ladysmith was the spontaneous expression on the part of the miners in the Extension camp of their determination to have an organization, through the agency of which they might be able to obtain an increase in the existing rates of remuneration. Such, undoubtedly, was the impression created in the minds of many of the miners, and of a large section of the public as well. In view, however, of the facts disclosed in the evidence taken by the Commission, and the nature of the testimony given by certain of the witnesses, we are of the opinion that the true inwardness of the Ladysmith strike cannot be rightly understood apart from its relation to other industrial disturbances existing at the time, and particularly to the strike of the United Brotherhood of Railway Employees at Vancouver.

Relation of Miners' Strike at Ladysmith to Strike of U.B.R.E. at Vancouver.

As already described the strike of the United Brotherhood was declared on February 27, and involved, in the first instance, clerks, officemen, baggagemen, and men in stores among the employees of the Canadian Pacific Railway at Vancouver. It was followed by strikes of freight-handlers, longshoremen and steamshipmen on March 4. On this day the following telegram, already quoted, was sent by George Estes, the president of the United Brotherhood, from Vancouver, to Clarence Smith, secretary of the American Labour Union at Butte, Montana :—

Vancouver, B.C., March 4, 1903.

Clarence Smith,
Secretary American Labour Union,
Butte, Montana.

Strike spreading—Revelstoke out—'Longshoremen struck here to-day. Please have Western Federation Miners refuse to allow coal loaded on cars, steamboats, ships or hulks at Ladysmith, Union or other points on Vancouver Island, for Vancouver. This to prevent Canadian Pacific getting coal. Rush orders by wire—Don't fail—Fight for life—Answer.

GEO. ESTES.

On the day following, March 5, Estes received the following reply from W. D. Haywood, secretary of the Western Federation of Miners at Denver :—

Denver, Col., March 5, 1903.

Geo. Estes,
Vancouver, B.C.

Have complied with your request. Notified union at Nanaimo.

WM. D. HAYWOOD.

Relation of American Labour Union at Butte, Mon., to the U. B. R. E. and W. F. of M.

The affiliated relations of the United Brotherhood of Railway Employees, the Western Federation of Miners and the American Labour Union are of the first importance in considering the significance of the telegram sent by Estes, and the reply received. The American Labour Union was formed at Salt Lake City, Utah, in May, 1895. It is a delegate body, and holds annual conventions, to which affiliated bodies send representatives. The United Brotherhood of Railway Employees, and

the Western Federation of Miners, are international labour organizations, which grant charters to local unions, and each of these bodies is affiliated with the American Labour Union. The preamble to the constitution of the American Labour Union states that the organization is formed for the purpose of 'concentrating energies and consolidating the labour forces,' and the constitution itself gives to the executive board, which is appointed at the convention, full power to direct the working of the union between conventions. The headquarters of the United Brotherhood of Railway Employees are at San Francisco, California; the headquarters of the American Labour Union at Butte, Montana; and the headquarters of the Western Federation of Miners at Denver, Colorado. From the fact that the telegram sent by Estes to the secretary of the American Labour Union at Butte was replied to by the secretary of the Western Federation at Denver, it is evident that its contents were immediately communicated by some person at Butte to some person at Denver. The wording of Estes' telegram—'Please have Western Federation refuse to allow coal loaded on Vancouver Island...this to prevent Canadian Pacific getting coal...fight for life.'—would indicate pretty clearly by what it leaves unsaid, no less than by the nature of the request made, and the reasons given, that there existed a vital connection between the workings of the three organizations, and that there was an understanding between the American Labour Union and both the United Brotherhood of Railway Employees and the Western Federation of Miners whereby the three were to act in conjunction in the event of either of the latter requiring the aid of the other. The actual occurrences are the demonstration that such was the case.*

* For further account of relations existing between officers of the United Brotherhood of Railway Employees and the Western Federation of Miners, see particulars in connection with the strike at Union, at pages 50 and 51.

United Action of American Organizations to bring about Strikes in Canada.

Informed by the American Labour Union that it is the desire of the members of the Brotherhood on strike at Vancouver that the coal supply to the railway from Vancouver Island should be stopped within twenty-four hours the secretary of the Western Federation wires to the president of the Brotherhood: 'Have complied with your request. Notified union at Nanaimo.'

The union at Nanaimo, referred to in the telegram, in Miners' Union No. 177, of the Western Federation of Miners, which obtained its charter from the Federation in December, 1902. It was the only union on Vancouver Island which, at the time, was affiliated with the Western Federation of Miners, and the only union existing in any of the coal mines on the island. The telegram sent to this union, referred to in the telegram of the secretary of the Western Federation of Miners to Estes, was not delivered at Nanaimo till 8.40 on the morning of March 6. It was addressed to Shenton, the secretary of the Nanaimo union, and was signed by Charles Moyer, the president of the Western Federation of Miners, Moyer signing his official designation as well as his name. The telegram was as follows :—

Denver, Col., March 6, 1903.

T. J. Shenton,
Nanaimo, B.C.

Use your best efforts to prevent Canadian Pacific from getting coal at Vancouver. Assist strikers all you can.

CHAS. MOYER,
(President, W.F.M.)

It is important to notice that in the telegram sent by Estes to the secretary of the American Labour Union the camps at Ladysmith and Union were specified. The mines at each of these places, as has been mentioned, are the property of the Wellington Colliery Company, and were the main sources of supply to the Canadian Pacific Railway; the Western Fuel Company, which owns the mines at Nanaimo, not having any coal contract with the railway. Ladysmith is about fifteen miles south, and Union some eighty miles north of Nanaimo.

Organization at Ladysmith, how effected.

On the same day as he received from the president of the Western Federation the telegram asking that best efforts be used to prevent the Canadian Pacific from getting coal, and that all assistance be given strikers, the following reply was sent by Shenton to Moyer at Denver :—

Nanaimo, B.C., March 6th, 1903,

Chas. Moyer,
(President W.F.M.),
Denver, Colorado.

We will render all assistance possible.

T. J. SHENTON,
Secretary.

The notice calling the mass meeting of Extension employees was posted at Ladysmith on March 7, the day after Shenton had replied that all assistance possible would be rendered. As already mentioned, it was not signed, nor did it say for what purpose the meeting was being called, nor was it known, until the sittings of the Commission, by whom the notice had been posted. From the evidence given it would appear that there had been no general agitation at the time among the body of miners at Ladysmith, either in regard to conditions of employment or the formation of a union. There had been some talk among a few as to asking for an increase in wages of ten to fifteen per cent in consequence of the removal of the United States tariff on coal a short time before, but in the statement filed with the Commission by the strikers, setting forth the grounds primarily responsible for the trouble, the subject of wages was not mentioned, and counsel for the miners disclaimed any desire to have the question of wages gone into. In fact, the witnesses testified generally as to there having been satisfaction on the score of wages, and such special evidence as was put in on this point indicated that, as compared with the rate of return in similar undertakings elsewhere, there was little room for complaint, and much for favourable comparisons, if desired.

No general demand for Organization.

Up to the time of the meeting on March 8, there appears to have been less general discussion among the mass of the miners on the subject of the formation of a labour organization than there had been on the subject of demanding an increase in the rate of wages. It was well known that Mr. Dunsmuir was strongly opposed to the formation of unions among his employees; that attempts at organization had, practically without exception, been followed by the immediate dismissal of those employees who had been prominent in the work of organization; and it was tolerably certain that like efforts at this time would be followed by like results. No question of wages or conditions being urgent at the time, the motive for effecting an immediate organization did not exist. The clause contained in the statement filed by the men, that 'the mine-owner insisting upon all his workmen residing at Ladysmith as a condition of employment' was a ground for the trouble, undoubtedly contains a truth as to what was a cause of complaint among a considerable number during former years, but it was not a complaint to which the demand for organization at this time was in any way related, either by the miners themselves, at the meeting at which they decided it was desirable to organize, or, in fact, since the exodus had been completed for over six months, and Ladysmith had already become the place of residence of practically all of the miners and their labourers employed in the Extension mines. On the other hand, there had been for some time a desire on the part of a few men, who at one time or another had resided at Nanaimo, or were pretty constantly in touch with the union officials there, to effect an organization among the miners at Extension. Among these few, Mottishaw and Pritchard, the secretary and chairman, respectively, of the mass meeting at Ladysmith on March 8, were conspicuous. Mottishaw admitted having talked over the matter of organization with different miners at Extension, and the evidence of other witnesses disclosed the

fact that he had been instrumental in endeavouring to form a committee which might serve as a nucleus to effect the desired result. It was also brought out that it was Mottishaw who posted the notice calling the meeting, and it was the day after Shenton had promised that all possible assistance would be given the strikers at Vancouver that he posted it.

Evidences of Intrigue.

The fact of Mottishaw posting the notice at this time is of itself not sufficient to connect him and Shenton in the matter, but the circumstances that, having procured from the meeting on March 8 a resolution approving of organization and instructions to send for the organizer, Mottishaw left at once for Nanaimo, and there, after conference with Shenton, had the latter send the telegram to Baker in his (Shenton's) name, does, when scrutinized in the light of the conflicting statements made by these parties before the Commission in reference to the transaction, and their relations to each other, as well as subsequent events, constitute, in our opinion, satisfactory proof of the connection without any admission.

Asked before the Commission how he came to post up the notice calling the meeting on March 8, Mottishaw replied:

By the unanimous request of the fellow-workmen.

Q. When did you begin to get these requests?

A. Two weeks before the notice was posted up.

Q. You don't happen to remember the names of any men who requested you?

A. There are some gone away. There may be a few here. I could not give the names.

Mottishaw's explanation of what happened at the meeting on March 8, given elsewhere in his examination, is interesting, in view of his statement that it was at the unanimous request of his fellow-workmen he had called the meeting to consider an advance. Replying to the question put by counsel for the miners as to what took place at that meeting, Mottishaw said:

The first question that the chairman put to the meeting was that he understood the meeting was called to consider an advance of 10 or 15 per cent, not more than 15, but left it to the

men whether it should be 10 or 15. The majority of the men did not want to hear anything about an advance. They thought it was no use attempting to get an advance without organization. Every one was clamouring for organization and that knocked the first question out. The meeting was called on purpose to ask for an advance, and not for the purpose of organization at all.

Q. Was it the general consensus of opinion to have some form of organization?

A. Yes, it was sprung on the meeting suddenly.

Contradictions and Evasions in Evidence of Secretary of Ladysmith Meeting.

Quite as interesting were the contradictions, pointing to an evident desire at concealment, made by Mottishaw in his evidence in regard to interviews with any of the Nanaimo officials.

Counsel for the miners in a leading question designed to establish a plausible reason for the men at Ladysmith choosing the Western Federation of Miners as the organization with which they desired to become allied, had suggested to the witness that the men at Ladysmith knew at the time that the miners working at Nanaimo were organized as a branch of the Western Federation of Miners, to which Mottishaw assented. Then following this question, the question was put—

So from your intercourse with workmen at Nanaimo you had some knowledge of the organization?

Immediately Mottishaw replied—

I did not have any intercourse with the Nanaimo men.

Elsewhere on the same point he was questioned, and answered as follows:—

Q. You lived in Nanaimo?

A. Yes.

Q. And were familiar with the workings of the organization there?

A. No, I was not in the lodge but once.

Q. You had familiarized yourself with the workings of the organization?

A. No, sir.

Q. Never talked with any Nanaimo men, or with the labour leaders?

A. Not until after the trouble.

Q. What date—the day you fixed the meeting?

A. Yes, I had talked with no one until after the meeting.

Q. Had any one talked to you at Nanaimo about organization at Ladysmith before the meeting?

A. Yes, I believe that cropped up there.

Q. How did it crop up there?

A. I suppose there was a general feeling that we ought to be organized, and able to defend ourselves.

Q. You talked about the probability of being able to effect organization at Ladysmith?

A. Yes.

Q. Did you only talk with one person on that subject at Nanaimo?

A. There were very few.

Q. Was it because your conversations were confidential, or because there was no one else interested?

A. I think all the men were generally interested.

Q. So this was confidential, and consequently you only talked to a few?

A. It may be so.

Q. Was it, or was it not?

A. I could not say.

Q. You did not want to start the work of organization until you thought it would be a success?

A. I don't know.

Q. And you discussed the prospects of its being a success?

A. Yes, I wanted to make it a success.

Q. And when you had discussed the plan you came to Ladysmith and talked it over here?

A. Casually.

Q. Every time you talked to the men when you considered it safe?

A. Yes.

Q. And when you had got a sufficient number of them, you posted a notice of the meeting?

A. Yes.

Nowhere in his evidence did Mottishaw make any allusion to any conversation with Shenton, nor to the telegram which had been sent by Shenton to Baker at his request.

Contradictions and Evasions in Evidence of Secretary of Nanaimo Union, W. F. of M.

Shenton was called before the Commission a number of times and questioned in regard to his relations with Mottishaw, and his knowledge of attempts on the part of the United Brotherhood of Railway Employees and the Western Federation of Miners to effect a stoppage of coal from the mines of the Wellington Colliery Company. The conscious evasions and the inexplicable contradictions contained in the statements of this witness before the Commission render unintelligible much of the evidence given by him, and he cannot be regarded in any light other than as one who went to the limit in withholding from the Commission all information about those matters which he thought it wisest to have remain concealed.

With a knowledge of the fact that the president of the Western Federation at Denver had wired to him to prevent the

Canadian Pacific Railway from getting coal on Vancouver Island, and to assist the strikers all he could, with this telegram still in his possession, and a full knowledge of the reply sent, and the circumstances under which it had been prepared, he replied in his first examination to some of the questions bearing on this matter as follows :—

Q. Do you know Mr. Estes ?

A. No.

Q. Have you had any correspondence with him ?

A. No.

Q. It is stated that he said to the Board of Trade in Vancouver that he had communicated with the executive of the Western Federation at Denver ; and that they had endorsed his request, and that if the strike were persisted in he would call out all the coal miners on Vancouver Island. Could he do that ?

A. That would be a questionable position.

Q. You think he was stating what was not true when he stated that the executive at Denver had endorsed his application ?

A. No, if the Western Federation had, as an executive board representing the whole body, approved of that, then it has to be submitted to the local union, and I am pretty sure—

Q. Then it is possible that on Mr. Estes' application a request could be made by the executive from Denver that this union should go out on strike in sympathy with the United Brotherhood of Railway Employees—that is possible ?

A. It could make the request—I don't know.

Q. Mr. Estes says it is possible, and that he had a telegram to show it. Is he right or wrong ?

A. If he is right, then we don't know it. It is not in the constitution.

Q. Then, if Mr. Estes is right, it must be that while the constitution makes a general statement, the executive can interpret it in particular instances, the way he mentions ?

A. It might be that.

Q. What do you think about it ?

A. Well, I simply think little about it.

Q. You don't believe Mr. Estes' statement then ?

A. Well, I would not like to discredit the statement exactly, of Mr. Estes, but we have not been made responsible for that statement through the Federation.

Q. That is not the point. I am simply asking you if, under the constitution, and in accordance with the manner of the interpretation, at Mr. Estes' request, could the executive make that call on you ?

A. Well, there is nothing in the constitution saying so.

Q. Then you don't know whether it could or not ?

A. No, I am not just exactly aware. There is nothing to inform me, in the constitution, that he could do that.

Replying elsewhere to a similar question Shenton said :—

Well, I feel this regarding that matter. Supposing it may be possible—we are not sure what Mr. Estes' says is correct—well, in the absence of anything to the contrary that it is correct, we would not like to say it is not,

but so far as I know, we are not aware of the fact that he could do that, and if a request of the executive board of the Western Federation of Miners was made, it would have to be endorsed or rejected in accordance with the local union's vote.

Q. Supposing the statement made by Mr. Estes was true—that he had that power, with the assurance that he would call out the miners on Vancouver Island—would that surprise you ?

A. Yes, it would, to some extent.

Q. It would present the Western Federation in a light that you did not conceive it possible to be viewed in. Do you think your local is subject to a possible call of that kind ? It is a case that does not affect your wages or your work, simply the general cause of labour ?

A. I hardly think they would do it, nor I don't think if a request of that nature was made, it would certainly on our part be opposed.

Matters of fact denied.

During the same examination on May 21, Shenton was asked in regard to the organization of the miners at Ladysmith :

You had no connection with the agitation and organization at Ladysmith ?

With a full knowledge of his conversations with Mottishaw on the subject, and of the fact that he had himself, at Mottishaw's request, written out and signed the telegram which brought Baker to Ladysmith to organize, he replied to this question 'none whatever,' and further testified as follows :—

Q. You never suggested to any person that they should go to Ladysmith to organize ?

A. No.

Q. You had no communication with Mr. Mottishaw on that subject ?

A. No.

Q. No talk with him on the subject of organization at Ladysmith ?

A. No.

Q. No suggestion that some one should go to Ladysmith and bring about organization ?

A. No, I don't remember.

Q. You had no conversation with Mr. Mottishaw which in any way bore on the question of organization at Ladysmith ?

A. Since then, since the organization ?

Q. But before the meeting was held, the meeting to call on Ladysmith ?

A. I was going to say that I did not know anything about the meeting that was called.

Q. When did you have a conversation with him, what was it about ?

A. Well, the only conversation I had with Mr. Mottishaw—I had a talk with him prior to that—just previous to that meeting. I don't know anything about the meeting.

Q. Did you know it was being talked of prior to the meeting ?

A. Yes, representations had been made in several instances at Nanaimo that the men down there were wishful to organize. That is about the sum and substance of the conversation that transpired. Then I had no conversations until afterwards.

Q. The first conversation was before the meeting, and it was to the effect of the communica-

tion from Mr. Mottishaw that the men were anxious to organize at Ladysmith?

A. No, none by letter.

Q. I mean the statement by Mr. Mottishaw to you, that the men at Ladysmith wanted to organize?

A. It was commonly repeated by men passing to and fro from here to Ladysmith—that that was so.

Q. What did Mr. Mottishaw say about it to you?

A. Mr. Mottishaw simply repeated the statements made by other parties.

Q. Did he volunteer the statements, or did you ask some questions?

A. Mostly volunteered.

Q. What part was not volunteered, or what part was not brought out by you? Did he begin the conversation or did you?

A. He began the conversation.

Q. What did he say?

A. I am open to tell you exactly what he said. It will help my case. Mr. Mottishaw has been in the habit of coming into town. He has a house here. He said that the men were feeling disposed to be organized at Ladysmith.

Q. That is what he told you?

A. Yes, and other men prior to me.

Evidence given on previous Examination subsequently refuted.

On June 1 Shenton was recalled before the Commission, and shown the telegram of March 9, sent by him to Baker, and asked if he could explain it. His reply was that he guessed he could, but he would like to ask whether the Commission expected to make him responsible for everything connected with 'our consolidated organization.' On being told that the Commission had been appointed to find out all the facts, and that he was simply asked to explain the telegram, he asked if he might be allowed an adjournment until he had conferred with other men. Asked if there was anything in the matter, he had reason to be ashamed of, his reply was—'No, I don't think so. These things are connected between our union and the Federation, and I might be committing myself in regard to the secret and private affairs of our organization. If I have to give this I would like an adjournment until I can consult with the parties and confer with our lawyer in the matter.' On his undertaking to appear before the Commission at Vancouver on June 3, he was not questioned further at the time in regard to it. Questioned at Vancouver on June 3, in regard to this telegram, his reply was as follows:—

As near as I can remember that telegram for the calling on Mr. Baker was in connection with—was simply sent from Nanaimo as forwarded on from Ladysmith in connection, I think, with the organization of the miners at that town as a request. I believe this is the same telegram.

Q. Then the object of this telegram was to come and organize the miners at Ladysmith?

A. Yes.

Q. Why did you send it?

A. I think I am mistaken your Lordship; there are so many telegrams. I think I am substituting that telegram in the wrong place. That is the telegram that was sent rather—I remember now—that is the telegram that was sent—there were two sent—in connection with the possible trouble that we had in sight at our own place, and we wanted Mr. Baker there in connection with our own trouble, and I was requested to send for him immediately. That is the telegram.

Q. What trouble was in sight?

A. That was in connection with the local dispute that occurred there; in the month of February I think it was.

Q. When was that local dispute settled?

A. That was settled about the latter part of February.

Q. I think you must still be mistaken, Mr. Shenton, because this telegram is dated March 9, so it cannot have anything to do with that dispute?

A. Yes, your Lordship, but the matter was under way for three or four weeks pending.

Q. But you told us the dispute was settled the end of February, and here is the telegram sent on March 9, asking Mr. Baker to come immediately. You also say there is an urgent request for his presence?

A. Yes, it is in connection with the matter on hand then; it extended over a period of three or four weeks.

Q. But you tell us that particular trouble was settled at the end of February. I am reminding you that this telegram is dated on March 9, and the strike at Ladysmith took place on March 11. In view of that is not your first answer the correct one?

A. (No answer.)

Mr. Rowe:

Q. I think it must be, because Mr. Baker said he was called about the 10th of March; he said that in his evidence.

A. I am not able to recall. I am not clear. I am sorry.

His Lordship:

Q. Is it not clear that the object of the telegram was to request him to come and organize the men at Ladysmith—this telegram on the 9th of March, sent by you?

A. I cannot recall the matter clearly.

Q. It is the reasonable and obvious conclusion that that is the meaning of the telegram, is it not?

A. It seems so, although I thought—I know there was a second telegram urging Mr. Baker to come immediately in connection with our trouble. I have forgotten the date.

Mr. Rowe:

Q. Did he come?

A. Yes, he was at Nanaimo during the dispute, as speedily as he could be got there.

His Lordship:

Q. He answered on March 10 that he would leave Fernie for Nanaimo 'to-morrow morning'

and he himself says in his evidence that he was sent to organize. I suppose there is no difficulty in coming to the conclusion that this is the telegram?

A. Yes, I guess it must be. I cannot just recall all the telegrams. We had our own trouble somewhere about that time.

Q. Who requested you to send this telegram?

A. The request of Ladysmith.

Q. Who at Ladysmith requested you?

A. I think it was Mr. Mottishaw, if I am not mistaken.

Q. Why should they not have sent the telegram direct instead of through you?

A. Well, I don't know that they have any telegraph office at Ladysmith.

Q. Yes, there is a telegraph office at Ladysmith?

A. Yes, that is right; I don't know why they did that.

Q. Who paid for this telegram?

A. The Ladysmith—Mr. Mottishaw.

Q. They paid for it?

A. A. Yes.

Q. Did not you pay for it at the Nanaimo office?

A. Not that I am aware of.

Q. How did you get the telegram from Ladysmith? How were you instructed to send this telegram—by letter?

A. If my memory serves me right, Mr. Mottishaw came into town on the day.

A. Yes.

Q. Why did not you ask him to send it himself?

A. Well, usually, as men knowing each other, we will help each other in that regard. He simply asked me to send it for him.

Q. If that is the case, why should you ask Baker to come to Nanaimo, rather than Ladysmith?

A. I cannot see that there was any special reason why, Mr. Hunter.

Q. Is it not the obvious inference that it was intended to discuss the matter before proceeding to Ladysmith?

A. No, I think not. The only connection I have with that circumstance is the fact of my being called on, and that was to suit his convenience in regard to sending that telegram; that is all.

Q. And you say it is a wrong inference to suppose that Mr. Baker should have a discussion with you and other Nanaimo leaders before he proceeded to Ladysmith? Is that correct or wrong?

A. I think that is correct simply from the fact, as I have stated previously in my evidence, that we always tried to keep out of the matter because the Ladysmith men, or Dunsmuir's employees, had been feeling a little sore with Nanaimo having anything to do with the matter, and we tried to keep out of it as much as possible.

Q. If that is the case, why did not you tell Mottishaw to send the telegram himself?

A. In the first place he is a very poor writer; it was only a matter of convenience.

Q. But you could have signed Mottishaw's name to the telegram?

A. Yes, I could have; I cannot just say now why I signed my own name. I am willing to confess my name was signed.

Q. I don't see why you make so much mystery over the matter, Mr. Shenton. You would naturally like to see a union at Ladysmith, as a union man?

A. Yes.

Q. And you would naturally do all you could with Mr. Baker to suggest the best way of doing it, would you not?

A. Well, that was not the reason why he was sent for to come to Nanaimo.

Q. What was the reason why he was asked to come to Nanaimo?

A. As I have said, I don't know that there was any special reason that I could give.

Q. Then you don't want us to infer that it was the intention that you and he should have a talk over the matter before he proceeded to Ladysmith?

A. No, I don't.

Q. Yet it is the obvious inference, is it not? Is that not so?

A. Well, it may appear to be so, but at the time, as far as my knowledge goes, that was not so.

Q. Why was he to come immediately to Nanaimo? What was the urgency?

A. Well, of course that meant immediately to Ladysmith, I guess.

Q. What was the urgency?

A. The only urgency that I know is that the men had stated they wanted to organize at Ladysmith, and they wanted him there to organize them.

Q. Now, did Mr. Baker show you a telegram which he sent to Moyer, asking Moyer to come to Nanaimo?

A. Yes, I believe I have seen the telegram.*

Q. So that Mr. Baker and you were discussing this matter together evidently?

A. Well, at times of course, naturally so.

Mr. Baker and myself talked the matter over; that was only natural.

Mr. Rowe:

Q. Did you see Mr. Baker before he went to Ladysmith, when he came to Nanaimo?

A. If I did see him it was just on matters of his business there. I don't remember having any conversation with him at all when he came to Nanaimo.

Q. He would naturally want to know why you sent for him?

A. Of course the Ladysmith men—that is, Mr. Mottishaw—knew he was coming and the time he would be there, and we waited and received him there, to conduct him down to Ladysmith.

His Lordship:

Q. Did Baker show you a telegram dated March 14, in which Moyer tells him he has full power to act for the Federation?

A. Yes, I think I have seen that.

Q. So that there is no doubt that Mr. Baker and you were consulting frequently about the organization of these men at Ladysmith, and about the strike generally?

A. Mr. Baker often came to me with either letters, communications or telegrams from Moyer, and would read them to me.

Q. And Baker was taking advice from you as to how to conduct the affair?

A. Not that I am aware of.

Q. He would naturally take advice from somebody on the subject?

A. I don't know as to advice; we simply talked over the matter.

* This telegram was in cipher. Elsewhere in his evidence, when informed of this fact, Shenton denied having seen the telegram, and said that Baker had 'informed me regarding the matter.'

Q. He was consulting with you from time to time? That is the evidence by this correspondence, is it not?

A. Well, if he took advice from any discussions that we had, of course I don't know anything about it.

Q. Well, he was discussing the matter with you anyway?

A. Yes.

Q. Who else did he discuss it with? I mean of the Nanaimo men?

A. He had a few conversations with the president; I cannot say how many times they met.

Q. This is Mr. Neave?

A. Yes.

Q. And I suppose you and Mr. Neave had discussions about the situation?

A. Yes.

Q. He is president, and you are secretary of the union?

A. Yes.

Q. When did Baker get to Nanaimo?

A. I don't remember the date of that either.

Q. About the 11th or 12th of March, was it not? Because he sends a telegram to Moyer on the 13th for Nanaimo, and you asked him to come on the 9th, so he must have come between the 11th and 12th?

A. Yes, somewhere between those dates.

Q. Were you at Ladysmith about that time?

A. No.

Q. How long before that were you at Ladysmith?

A. I don't know how long before that.

Q. You had a conversation with Mottishaw about the advisability of organizing the Ladysmith men?

A. He had a conversation with me regarding the matter, yes.

Q. When was that?

A. Previous, I think, to the time of organization; I cannot just remember the date. He had a conversation with me.

At this examination on June 3, Shenton was required to produce all documents in his possession bearing in any way on the situation. Among the papers produced was the telegram of March 6, from Moyer to himself: 'Use your best efforts to prevent Canadian Pacific from getting coal at Vancouver. Assist strikers all you can.' Asked if he received this telegram, he answered 'Yes.' Asked if he did not know of these telegrams when questioned in regard to the matter in his examination at Nanaimo, he replied, 'Yes,' and pressed as to why he had said nothing of them, gave, as an explanation, that the questions which had been put to him were not directly on the point.

Admissions that Organization of Ladysmith Miners would lead to Strike.

Questioned as to whether he did not know that if he got the Western Confederation organized at Ladysmith they would

demand recognition, and there would be a strike immediately, he answered that he believed these things were possible in the trend of events.

Q. Did not you think that was going to happen? Did not you think in your own mind that that would be the result of the action? If the Western Federation was organized they would demand recognition, Dunsmuir would refuse it, and there would be a strike. Did not you think that was the course?

A. I foresaw that was possible, but we did not expect that.

Q. Will you swear that you did not expect that result?

A. Well, we were hopeful it would not.

After Shenton had admitted later in his examination that he knew Mr. Dunsmuir would not recognize a union, and had expressed himself over and over again to the effect that he would not have a union among his men, the question was put:

Q. Now, I ask you, if you did not expect when you organized the union at Ladysmith that they would demand recognition?

He replied:

Yes, I expected they would demand recognition.

Q. And did not you expect that Mr. Dunsmuir would refuse it as he had always done in the past? Did not you look for it?

A. It was most likely of course.

Q. You knew the kind of man Mr. Dunsmuir is, so you knew it would be refused, and did not you expect a strike would follow?

A. Well, of course I did.

Q. And would not a strike at Ladysmith shut off the Canadian Pacific Railway supply of coal, to the best of your knowledge and information?

A. Yes, it would.

Significance of Organization by W. F. of M. under circumstances.

Hardly less significant than the admissions contained in these statements are the circumstances under which the work of organization at Ladysmith was effected by the official representative of the Western Federation in Canada. On the 11th of February the strike involving all of the coal miners in the employ of the Crow's Nest Pass Coal Company at the company's mines at Fernie, Michel and Morissey commenced. The men in these camps had been organized as locals of the Western Federation of Miners some little time before; and the recognition of a joint committee of the officials of these unions by the company was, as has been pointed out, one of

the cardinal issues in the dispute. This strike had been in continuance for four weeks. Baker, who had organized these unions, and was particularly interested in bringing about a successful issue, was at Fernie with the union officials there at the time that Shenton wired the urgent request for his presence a Nanaimo, 'to come immediately if possible.' He replied to this telegram on March 10: 'Will leave here for Nanaimo to-morrow evening.' He arrived at Nanaimo on either the 12th or 13th of March. He had come to organize the Ladysmith miners as a branch of the Western Federation, but encountered, upon his arrival, a situation which gave the question of organization at Ladysmith a more serious aspect. The miners had struck on the 12th, so that to organize them under these circumstances meant that the Western Federation of Miners must assume at once the obligation of financial aid which, except for special and urgent reasons, was not to be lightly undertaken. Baker evidently felt the critical nature of the situation, for instead of going on immediately to Ladysmith he stayed at Nanaimo, consulting with Shenton and other parties there, and on the 13th of March wired from Nanaimo in cipher to Moyer, the president of the Western Federation of Miners at Denver: 'Can you come here; important; answer.' To this telegram Moyer replied on the following day: 'Situation such cannot leave; you have full powers to act for Western Federation of Miners.' With this authority from headquarters, Baker proceeded forthwith from Nanaimo to Ladysmith, and on the 15th of March organized the strikers into a local of the Western Federation, giving them full assurances that they now had the Western Federation at their backs.

Ladysmith Strike brought about by Intrigue of U. B. R. L. and W. F. of M.

Taking all the facts and circumstances into account, the nature of the organizations concerned, the United Brotherhood of Railway Employees and the Western

Federation of Miners, and their relations to the American Labour Union; the actions of the executive officers in the United States and Canada, and the known correspondence which passed between them; the request from the U.B.R.E. president that the supply of coal from Ladysmith and Union should be stopped, and the reply from the Western Federation officials that the request had been complied with; the command from headquarters to the Nanaimo local to prevent coal being supplied the railway, and to assist strikers all they could; the evident desire on the part of Mottishaw and Shenton to conceal from the Commission what they knew of the circumstances surrounding the establishment of organization at Ladysmith; the wilful misstatements and contradictions of each of these witnesses on material points; the fact admitted by Shenton that he knew a strike would probably ensue on the formation of a union at Ladysmith, and that he had conversed with Mottishaw on the matter; Mottishaw's denial that he had had any conversation with Shenton prior to the meeting; the hasty manner in which so important a step was taken by the miners at Ladysmith; the part played by Mottishaw in secretly posting the notice calling the meeting, and his being the secretary of the meeting; the joint action of Mottishaw and Shenton in the matter of the telegram sent to Baker urging his immediate presence; the denial of Shenton at the outset of having had anything to do in the sending of this telegram; Baker's further conversation after arrival at Nanaimo with officials there, and his communications with headquarters at Denver before taking final action; the incurring by the Western Federation of Miners of an enormous obligation at a time when its resources were already being heavily taxed in virtue of difficulties at other points in the Dominion and in the United States—all these facts and circumstances, coupled with the absence of any general desire among the miners at Ladysmith for organization at the time, or dissatisfaction with the wages or the conditions of their employment,

lead us to the inevitable conclusion that the trouble at Ladysmith would never have taken place but for the strike of the United Brotherhood of Railway Employees at Vancouver; that it originated in the intrigues of a few men, who, in part consciously, in part unwittingly, allowed themselves to be used as instruments to serve the desires and ends of a handful of dictators residing in the United States, and who are not in any way amenable to the laws of this country or responsible to those of its inhabitants whom they succeed in enlisting in the forces over which they hold sway.

Re Compulsory Removal of Wellington Colliery Company's Employees from Extension to Ladysmith.

Reverting to the allegation made in the statement filed by the miners, that their forced removal to Ladysmith was one of the grounds primarily responsible for the trouble, we think that this was a small factor, if a factor at all, in the promotion of the organization. The removal had taken place more than six months before—many had moved over a year before,—and there is nothing in the evidence to show that this was a subject of discussion in the agitation leading up to the organization. Moreover, the majority seemed to be satisfied to live at Ladysmith, as that place is much to be preferred as a place of residence to Extension. The former is on the main line, and the town site overlooks the sea, is easily

drained, and good water is available; the latter lies in a depression in the hills, and is badly situated from a sanitary point of view.

At the same time, there is no doubt that the removal was effected in an arbitrary way, and caused more or less loss to a number of the men, which has not been recouped. The order was given verbally to the foreman, who passed it on to the men, and some few who persisted in disobeying the order were dropped out of employment. The company charged nothing for carrying the men's effects and what houses were pulled down to Ladysmith, but did not pay the cost of their re-erection, or recoup those of the men whose houses were left, the losses as sworn to, ranging from \$150 to \$300.

Although about 200 families were removed by virtue of the order, the contention of the company was that its intention to establish the miners at Ladysmith was made clear shortly after starting up the mines, while a good many of the miners maintained that the decision was not finally arrived at or announced until after they had leased ground and erected their houses. However this may be, the dissatisfaction of many seemed to be not so much with the removal as with the way in which it was brought about, and it is just such arbitrary and inconsiderate dealing that antagonizes employees to their employers, and is at once a provocation and justification for the formation of unions.

CHAP. V—THE STRIKE AT UNION.

ON May 2, the miners in the employ of the Wellington Colliery Company at Union went on strike under circumstances somewhat similar to the Extension miners seven weeks before. A local of the Western Federation of Miners was formed at Union on April 5. Almost immediately after its formation one after the other of the officials of the union were dropped from the company's employ. This was not done in the way of a direct dismissal, but as their places in the mine were worked out, new places were not given to them. Before the end of the month the services of all the officers, of whom there were nine, with the exception of two, had been dispensed with in this way; also the services of other miners holding the offices of trustees of the union. On May 1, a committee of three of the union interviewed Matthews, the manager, and asked for a reinstatement of the men dismissed, in the order of their dismissal. This request Matthews refused, stating to the committee that as Mr. Duns-muir had refused to recognize any union, he was unwilling to do so. Notices were immediately posted, calling a meeting of the union for the following day. At the meeting the following resolution was carried: 'That because officers discharged after organization on April 5, we take a ballot on whether or not we stop work till such time as the officials and members who have been discriminated against by the Wellington Colliery Company are reinstated in their proper order, with full recognition of the Western Federation of Miners.' According to the return given by the secretary to the Commission, out of 208 votes cast on this resolution only 12 were opposed to it. As a result of this decision all of the miners in No. 4 mine quit work.

The Strike at Union part of a general intrigue.

The organization of the miners at Union into a union at this time, and the subse-

quent declaration of strike cannot, in our opinion, be accounted for except as part of the general scheme to tie up the coal supply on Vancouver Island, in aid of the U.B.R.E. strikers at Vancouver. The strike at Union was in reality a strike in sympathy with the men who were out at Ladysmith, and the manner in which this was procured cannot be too carefully considered, as illustrating, on the one hand, the secret and irresponsible nature of the inner workings of the Western Federation of Miners and the deceptive practices of some of its most prominent officials; and on the other, the comparatively simple manner in which a body of men may, at the instance of a few persons of ordinary adroitness and cunning, be drawn into a deplorable situation, from which they are unable to extricate themselves without humiliation and loss.

What the exact relations were at this time between Baker, the Canadian organizer of the Western Federation of Miners and Estes, the president of the United Brotherhood of Railway Employees, the Commissioners were unable to ascertain, owing to the absence of the latter from the country at the time the Commission was holding its sittings at Vancouver. However, the evidence obtained from many sources leaves no question as to the design of the Brotherhood and its president in attempting the stoppage of the coal supply from Vancouver Island, while the actions of the Canadian organizer of the Western Federation tend, on the whole, to indicate very clearly that he was a prime mover in the furthering of this design.

Efforts of U. B. R. E. to stop Coal Supply at Union.

Amongst other facts mentioned in the account already given of the efforts made by the strikers at Vancouver to stop the coal supply to the Canadian Pacific, it will be remembered that the telegram sent on

March 4 by Estes to Clarence Smith, secretary of the American Labour Union, mentioned Union as one of the points on Vancouver Island at which the Western Federation was to refuse coal to be loaded on cars, steamships, boats or hulks, the object being to cut off the Canadian Pacific Railway from its supply of coal. Union, as well as Ladysmith, was, therefore, aimed at in the telegram sent by the president of the Western Federation at Denver to Shenton, the secretary of the Nanaimo union, when the former wired: 'Use your best efforts to prevent Canadian Pacific from getting coal at Vancouver. Assist strikers all you can,' to which the reply was: 'We will render all assistance possible.' The following circular, signed in prominent type, 'George Estes, president U.B.R.E.,' was printed at Seattle, and distributed in different places after the sympathetic strike of the longshoremen, steamshipmen and teamsters had been declared at Vancouver:

NOTICE!

TO ALL UNION MEN.

The United Brotherhood of Railway Employees, International Longshoremen's Union No. 211, British Columbia Steamship Society and Teamsters Union of Vancouver, B.C.

Are involved in a strike with the Canadian Pacific Railway Company. The United Brotherhood has ordered out the members of that organization at Vancouver, Revelstoke, Calgary, Courtney, Rossland, Winnipeg and Fort William.

This strike was due to the Canadian Pacific Railway Company trying to destroy Unionism on its line.

The three above named organizations have struck in order to assist the United Brotherhood.

The Western Federation of Miners will be asked to stop the mining of coal on Vancouver Island in order to deprive the Canadian Pacific Railway of fuel, and they will strike within the next few days.

If you are a Union Man, or if you are friendly to Unionism, stay away from British Columbia, and ask your friends to do likewise, as this is a fight to a finish, and the Canadian Pacific Railway must give in or the United Brotherhood of Railway Employees with the assistance of the other organizations will carry on the battle indefinitely.

We ask the aid and co-operation of all Unions in helping us to make this struggle a success, and in the end the victory must be ours.

GEORGE ESTES,
President U.B.R.E.

Denny-Coryell Co. Printers, Seattle.

This circular was evidently prepared by authority of Estes as president of the U.B.R.E., with the full knowledge of what

might be expected from the Western Federation of Miners in view of the request by the American Labour Union to them for assistance to the Brotherhood, or at least as the result of some mutual understanding between the parties.

The Organizer of W. F. of M. remains on Vancouver Island.

After his arrival at Nanaimo for the purpose of organizing the men at Ladysmith, and after the organization of the latter place had been formed, Baker remained on the island, making Nanaimo his headquarters; this, as already mentioned, notwithstanding the fact that the strike in the camps at Fernie, Michel and Morissey continued to the last day of the month, and was causing some anxiety to the Denver officials, as evidenced by telegrams which passed between the executive at Denver, the Canadian organizer and other parties, which telegrams were produced before the Commission at its Nanaimo sittings.

Estes claims he is tying up Coal Mines at Union.

The day after the formation of the union at Ladysmith, Estes left Vancouver for Victoria, having wired to several Brotherhood officials at different points that the steamshipmen would strike the day after his arrival there. They did strike the same night (March 16), having agreed to do so at the meeting in Victoria, at which Estes was present. Estes then remained for a day or two on Vancouver Island. On the 17th one of the Vancouver papers published the following special from its correspondent at Victoria:—

Victoria, March 17.—(Special)—George Estes, president of the U.B.R.E. is here. To your correspondent he spoke as follows:

'I am here in response to a telegram from Portland to deal with the strike here. We now have the Canadian Pacific Railway practically tied up, all sources of its coal supply having been blocked with the exception of Union, and Frank in Alberta. We have the assurance of the miners at the latter point that they will go out as soon as asked to do so by the union.'

'I am going to tie up the Dunsmuir mines at Union.'

The next day the following telegrams were sent by Garnham, acting agent of the Vancouver division of the U.B.R.E., to officers at different points:

To J. T.
Revelstoke.

Estes working island miners successfully. Experts reach you Friday sure.

To C. C.
Revelstoke.

Estes delayed at Victoria tying up coal. All is well.

To H. C.
Calgary.

Estes delayed at Victoria tying up coal on Island. Will be there soon. All well here.

Further Evidence of attempts to stop Coal Supply.

Simultaneously with these telegrams, the following letter was sent by the same executive officer at Vancouver to one of the officers at Revelstoke, to whom he had wired in the matter. It confirms the statements contained in the telegrams and the representations made by Estes in the press interview above quoted. Moreover, it shows conclusively that, having secured the simultaneous action of certain organizations by way of sympathetic strikes, the main energies of the Brotherhood and its president, as pointed out in the account already given of the Vancouver strike, were directed at this time towards effecting a famine in coal, with the intention of completely crippling, if possible, the Canadian Pacific Railway, and this without any regard to the injury and loss which might be caused, either directly or indirectly, to innocent and neutral parties.

March 18, 1903.

C. C., Esq.,
Acting Agent Division 97,
Revelstoke, B.C.

Dear Sir and Brother,—Acknowledging your communication of the 16th, I wired Brother T. this morning that Brother Estes would be unable to reach there before Friday. This is owing to his endeavours to induce the miners at Union, on Vancouver Island, to quit mining coal, if it is to be sold to the Canadian Pacific Railway or allied steamship companies. Our greatest hold will be through causing a fuel shortage, not alone with the Canadian Pacific Railway but with every one who uses coal. We understand that there is considerable coal between here and Revelstoke, but it is our understanding that this coal is hardly fit for steam purposes, some of it having been on the ground for upwards of 12 months and exposed to the

weather. Get me what information you can as to the coal on hand at Revelstoke, North Bend, and Kamloops. These are the main points where coal supplied is kept on hand.

Yours in E.[quality], U.[nity],
and P.[rotection],

(Signed) S. GARNHAM,
Acting Agent Division 81, U.B.R.E.

U.B.R.E. and W. F. of M. interested in Coal Supply and Strikers.

From other telegrams and letters produced before the Commission, it would appear that both Baker and the U.B.R.E. officials were watching the interests of the strikers, and the coal supply during the weeks that followed. On March 23, Baker sent a circular letter from Nanaimo to local unions of the Western Federation of Miners, telling them of the organization of the miners at Ladysmith on March 15; giving an account of the strike and its alleged causes, and asking that a word of encouragement be sent from the several locals to the Ladysmith Union. On March 25, a telegram was sent from F. J. Halton, the secretary of the strikers' executive committee, at Vancouver, to Shenton, at Nanaimo, which was as follows:—'Coal coming to Vancouver said to be from Nanaimo. Please say.' On receipt of this telegram, Shenton interviewed the management of the Western Fuel Company at Nanaimo, and on the 28th reported to the Nanaimo union that the company had informed him that they had not shipped coal to the Canadian Pacific Railway for three or four years, and that about 150 tons per week were shipped to Vancouver by the company, but only for domestic purposes, and he so informed Halton at Vancouver. In his evidence before the Commission, Shenton stated that had it appeared as the result of the investigation made in consequence of this telegram that the Canadian Pacific Railway Company were being supplied with coal by the Western Fuel Company, the Nanaimo union would probably have taken steps to stop the supply to the Canadian Pacific Railway from that source. But he would not go so far as to state that the union would have violated its contract with the company to effect that purpose, or

would have declared a strike which might have effected the company's business with other concerns ; but that in regard to coal being supplied to Canadian Pacific Railway an effort would certainly have been made to prevent such a supply being continued.

Organized effort to form an Organization among Miners at Union.

There appears to be something more than a coincidence in the fact that at this time an organized effort was being made by parties in no way immediately connected with Union, but directly connected with Ladysmith and Nanaimo, to bring about the formation of a local organization among the miners at Union. Somewhere about the time of the sending of the circular letter by Baker to the several locals of the Western Federation, asking them to send a word of encouragement to the strikers at Ladysmith, three or four strangers arrived at Union and registered at different hotels there. These persons commenced at once an organizing campaign. They moved about among the miners, sounding them on the question of organization, and on short acquaintance suggested the advisability of such a step being taken. Two of these men represented themselves as being members of a delegation sent by the executive board of the Ladysmith union for the purpose of seeing if it were possible to effect an organization among the miners at Union. One man, Higney by name, appears to have been specially active in this work. As an example of his method of proceeding, the following may be quoted from the evidence of David Halliday, who was appointed to the position of treasurer of the union which was formed on April 5. In reply to a question bearing on the subject, he said :

There were two members sent here from Enterprise Union No. 181, Western Federation of Miners, by the executive board of that union.

Q. Where is that ?

A. Ladysmith—by the executive board of that union.

Q. Was it by their wish, or by request from here ?

A. No, sir, they were sent by the executive.

Q. Who were they ?

A. One was James Higney, I think, and another was an Italian, I don't know his name, I never met him.

Q. When did they get here ?

A. I could not exactly state. It was a week after they were here before I saw them.

Q. Can you tell us as nearly as you can ?

A. About two weeks before the 5th of April.

Q. Did you have any conversation with one of them ?

A. A conversation with one of them a week previous to the 5th of April.

Q. Tell us what that was about ?

A. He asked my opinion as to how it would be to form a branch of the Western Federation of Miners, if the men would like to become members of that organization. I said I could not state that—I had only been here about two months previous to that, and that he had a pretty hard nut to crack to form any branch of a union under the conditions that were existing here previous to that.

Q. Yes, what did he say ?

A. He said he came to investigate individual opinion as to whether or not they wished to form a branch of that organization.

Q. What was the result ?

A. The result was that he found most of the men were in favour of forming a branch of the Western Federation of Miners.

Q. Most of them ? Can you give us some idea of the numbers ?

A. I could not give you an idea of the numbers.

Q. That was your own honest opinion ?

A. That was his opinion—not mine. I told him I could do nothing to aid him ; that he would have to do his own work, investigating matters. He only asked my opinion.

Q. Did Mr. Higney tell you he had an interview with Mr. Baker ?

A. I cannot recollect.

Q. Did he tell you he had an interview with people in authority belonging to the Federation ?

A. Certainly, that he was sent here by the executive board of the Ladysmith union.

Q. Would it be right to conclude that he had the approval of the Denver people before he started on this investigation ?

A. It might be right to conclude so. I suppose it would, but I cannot state.

Having spent about two weeks in preparing the field for organization in this way, and believing that it might at that time be possible to effect an organization, Higney sent word to Baker at Nanaimo to come to Union to organize. Baker arrived at Union from Nanaimo on the 4th of April, and on the day following he organized a local union of the Western Federation among the miners at that place, under the name of the Cumberland Miner's Union No. 156.

Organization forced by W. F. of M. Representative on April 4.

The means whereby this organization of the miners at Union was effected, reveals,

in the clearest manner possible, a determination on the part of Baker and his emissaries to form a union at that place and time at any cost. It reveals, further, the fact that the miners were not allowed the opportunity which should have been given them of fully considering the nature and consequences of so important a step, but rather, that advantage was taken, by Baker and others, of their inclinations and susceptibilities to draw them into a trap from which they might find it difficult to escape. In the first place, the notices calling the meeting at which organization was to be effected, were posted only the day previous to that on which the meeting was held. They did not state for what purpose the meeting was being called, nor do they appear to have been signed by any one. When the meeting assembled on Sunday, the 5th of April, between 200 and 250 were present. No motions were put nominating any one as chairman or secretary of the meeting. Higney constituted himself chairman, and one of the men who had come with him to Union acted as secretary. Baker was called by Higney to the platform, and when the speaking commenced, there was not, as a matter of fact, a single local miner on the platform at the time. A letter was first read to the meeting by Higney, purporting to be from the Ladysmith miners, and calling for the sympathetic support of their fellow workers at Union. Higney then announced that he had received sufficient names to enable him to send for Baker, whom he introduced to the meeting. Baker then addressed the meeting on the subject of unions, and the benefits to be derived from them. He spoke of the number of unions which he had already organized, and of his intention to complete the work of the Western Federation in that part of the Dominion. On the conclusion of his address a miner named Barber (who was subsequently elected as president of the newly-formed union), moved that a branch of the Western Federation of Miners be formed. The motion was seconded, and Higney was about to put it to the meeting, without giving opportunity for any discussion, when

one of the miners arose and moved that this step be not taken, pointing out at the time that if the Ladysmith miners were out on strike that had nothing whatever to do with the miners at Union. This motion was seconded. Another motion was made by another miner, who suggested that the matter be left over for a week, that it was a serious affair, and that time should be given to consider the step, also that a secret ballot should be taken at the pit to decide the issue. Discussion on this point having been aroused, Baker took the matter out of the hands of the chairman, and stepping to the front declared that all the motions were out of order, stating that he had come to organize a branch of the Western Federation in Union, and that all those who were not willing to join the organization should leave the hall. As a result of this proceeding a few of the miners left the meeting. The others remained, and the organization was formed without any motion or resolution having been voted upon or even discussed.

Evidence disclosing methods adopted by Organizer Baker of W. F. of M.

It may be well to quote at length the evidence of a witness who testified pretty fully before the Commission in regard to the actual occurrences and order of events at this meeting, especially as none of the officers of the union took exception to or in any way contradicted it in regard to the material points. On the contrary, there was an evident reluctance on the part of these officers to disclose anything in regard to what had happened at the meeting, and we believe that the statements as here quoted from the evidence of this witness are substantially correct :

Q. Will you please tell the Commissioners exactly what happened, as nearly as you can remember, from the beginning to the end of the meeting. When the meeting was assembled, did anybody go on the platform ?

A. There were four or five different men ; I only knew one—an Italian.

Q. From what you have since learned, do you know ?

A. One of the men was Higney.

Q. He came from Ladysmith ?

A. Yes, and the secretary, Mr. Henderson, Peter Baranzoni, from Ladysmith, and Mr. Baker went on the platform.

Q. Then Higney, Henderson and Baranzoni went on in the first place?

A. Yes, Mr. Higney took the chair.

Q. There was no one voted in the chair?

A. No.

Q. Who was secretary?

A. Henderson.

Q. He was not proposed or voted?

A. No.

Q. Then there was not a Cumberland man on the platform?

A. No.

Q. Mr. Baker was invited from the back of the hall to the platform by the chairman?

A. Yes.

Q. What was the first thing the chairman did after asking Baker to come to the platform?

A. The first thing Mr. Higney did was to read a communication from the executive board of the Ladysmith men, addressed to the brother workers of Cumberland.

Q. Where is that letter, why has it not been produced? Mr. Higney read it at the meeting?

A. Yes, from the executive board of the Ladysmith union, addressed to their brother workers in Cumberland. The letter related the circumstances leading to the trouble at Ladysmith, and part of the letter stated that their trouble was our trouble here. It was a pretty long letter, two sheets of it altogether. I remember that part of it very well.

Q. When the chairman had finished reading the letter did he say anything?

A. He introduced Mr. Baker to the meeting. He was not able to say much; he excused himself on that account.

Q. And Mr. Baker made a speech?

A. Yes.

Q. What was the purport of his speech?

A. It was leading up to unions, and the benefit to be derived from it, and that he was going around British Columbia, and that he had organized twenty-four unions altogether. He intended to travel through Manitoba, and also take in Ontario, and that, practically speaking, Cumberland was the last place. I took from that that Cumberland was the last place on the western continent not organized.

Q. And that he was here for the purpose of organizing?

A. Yes.

Q. Did he say how he came up here?

A. Mr. Higney said that he had, during the short stay he had in town, received sufficient names to enable him to send for Mr. Baker to come up.

Q. The men ready to organize justified Mr. Baker in coming up here?

A. Yes.

His Lordship:

Q. Did he state the number?

A. No.

Mr. Bodwell:

Q. But that it was sufficient to justify him in sending for Mr. Baker?

A. Yes. I heard it was eighty.

Q. You have heard that it was eighty?

A. Yes.

Q. When Baker finished his speech what happened next?

A. After he got through with his address, Mr. Barber, the president of the union, rose up and moved a motion that we join—that we form a branch of the Western Federation of Miners.

His Lordship:

Q. Who was this?

A. Mr. Barber.

Mr. Bodwell:

Q. Where was Barber?

A. He was sitting back about three or four seats from the front of the hall—this hall. He made just a few remarks in regard to the organization. I think he said he had been a member in the Kootenay country.

Q. And that motion was seconded?

A. Yes, sir.

Q. Then what?

A. Well, Mr. Higney was going to put the motion without giving any one a chance to speak, and I saw that the motion was going through without opposition, and I rose and moved an amendment to the motion, that we don't form a branch of the Federation in this place. I added to it also that if the Ladysmith men were out on strike that had nothing whatever to do with us here.

Q. How were you received?

A. They started to hiss considerably, and shouted to put me out. That was the response I received when I moved that amendment.

Q. Did anybody follow you?

A. Yes, Richard Conishaw, senior, made a few remarks. I believe they were deprecating the insulting attitude on the part of the audience towards me.

Q. Did anybody follow him?

A. Mr. Hunden; he also got up and spoke in support of freedom of speech.

Q. Did anybody support your motion?

A. Yes, Mr. Bickell. Mr. Hunden got up and deprecated also the attitude of the audience about hissing, and shouting to put me out. He considered it was right to give every person in the hall fair play. The next gentleman who tried to speak was Mr. Conishaw.

Q. What did he have to say?

A. He suggested that we leave this matter for a week; that it was a serious matter, and that we should consider it, and take a secret ballot at the pit. He asked if Mr. Sangster was in the hall. He says: Is that not the way you did at Nanaimo? Every vital question at Nanaimo is voted by secret ballot? Replying, Mr. Sangster said that things had changed there now—'we have the Western Federation there now, and we usually get what we want.'

Q. At this stage did anything happen?

A. Mr. Baker stepped to the front, excused himself to the chairman, and said that the motion and the amendment was out of order. He was here to organize a branch of the Western Federation in Cumberland, and all those not willing to join the organization he would request to leave the hall.

His Lordship:

Q. Mr. Baker said this—not the chairman?

A. Baker—not the chairman.

Mr. Bodwell:

Q. That he was going to organize, no matter how many were taken in?

A. Yes.

Q. What did the chairman do—was the motion put?

A. No, the motion was not put, nor the amendment.

His Lordship:

Q. He said the motion was out of order, that the meeting was for the purpose of organizing and that those who did not wish to organize could retire?

A. Yes, Your Honour.

Q. You say both motion and amendment were out of order?

A. Yes.

Mr. Rowe :

Q. How was the meeting called ?

A. For a mass meeting of miners ; no object was stated in the notice.

Q. Was the notice signed ?

A. No.

His Lordship :

Q. How long notice was given of this meeting ?

A. I believe it was posted on Saturday.

Q. And the meeting was on Sunday ?

A. Yes ; the notice might have been on Friday night or Saturday ; I believe it was just one day.

Q. I gather that what Mr. Baker said was that both the motion and the amendment were out of order, as the meeting was for the purpose of organizing, and that those who did not want to organize should retire ?

A. Yes, those are about the words he used.

Mr. Bodwell :

Q. What struck you at the time that Baker should interrupt ?

A. I came to the conclusion that what he said was correct ; that he was there to organize and came for that purpose.

Q. Why should he interrupt at that stage of the proceedings ?

A. There were likely to be expressions of opinion. There were quite a number of people in the hall who were not favourable to the organization at the time.

Q. You knew that to be the fact ?

A. Yes.

Q. After Baker said that some went out, you among the rest ?

A. Yes, I waited a couple of minutes and then went out.

Q. Do you know, as a matter of fact, whether all the people who had expressed themselves as being opposed to the union went out ?

A. No, some of them did not go out.

Q. Do you know why ?

A. I came to the conclusion that the men were afraid, when they saw the treatment I had received by being hissed and shouting to put me out, that they were afraid of expressing their opinion.

Significance of Organization being formed at this time.

In estimating the significance of the step taken in organizing these miners into a union, the known attitude of the Wellington Colliery Company towards unions among its employees, and the conditions of employment at the time cannot be too carefully considered. In their evidence before the Commission the miners made little or no complaint of the wages they had been earning at the time. Most of them, when questioned on the subject, testified that they were quite satisfied with the scale of remuneration, and admitted that, as compared with wages paid in other mines in the province and elsewhere in America, the

figures were most favourable. They all admitted that they knew that the company was hostile to the formation of any unions, and that they knew the formation of a union at Ladysmith only a month or two before was responsible for the fact that the men there were out of work. In fact, the explanation given by some of the witnesses to questions which were put to them would indicate that they were fully conscious that a dismissal of the persons elected to office in the union would be one of the first steps taken by the company after the organization was effected. This probability, for example, was cited as the reason for the selection for the most part of young men to the chief executive offices in the union. There was, moreover, not a single reason of importance given by any witness which would satisfactorily account for the formation of an organization under the existing circumstances and at this particular time. A desire for 'freedom of expression of opinion,' for 'individual liberty,' for 'freedom of liberty,' for the 'right to have an organization,' were put forward by the union officials as the reasons which prompted the formation of an organization. On the other hand, there was nothing adduced before the Commission which would point to any general desire on the part of the majority for organization, nor does there appear to have been any such desire. And it is clear that Baker and his coadjutors found the task of organization difficult to carry out. Had it been otherwise, the proceedings would hardly have been managed as it has just been shown that they were at the meeting on April 5.

Were the facts and circumstances surrounding the formation of the organization at Union at this time not of themselves sufficient to point to an evident design on the part of the Western Federation of Miners to bring about a common understanding and simultaneous action between the employees of the Wellington Colliery Company at Ladysmith and Union, no room for doubt would be left from the incidents and events which followed this organization, and which account for the strike at

Union, which took place within the next month.

Organization followed by Strike in May.

As had been anticipated by some of the miners at the time of organization, and as already mentioned, one after another of the officials of the newly-formed union found themselves out of employment very shortly after the organization was formed. By the end of April all of the officers, with the exception of two, were out of work, and had reasonable grounds for supposing that their connection with the union was accountable for the fact. On May 1 a committee of three of the dismissed officials interviewed the manager of the company, and asked for the reinstatement of all officials in the order in which they had been dismissed. The manager's refusal of this demand was followed by a strike on the next day.

Relations of the Ladysmith and Union Strikers.

The demand and the strike can only be rightly understood in the light of what transpired on the preceding days. The events point to one conclusion only, namely, the desire on the part of Baker and others to bring about a sympathetic strike of the miners at Union with the men who were out at Ladysmith. On April 10 Baker had sent from Nanaimo to the several locals of the Western Federation a letter telling them of the formation of the union at Union on April 5, which organization, he says in these letters, was effected 'in the face of stern opposition.' He states that the men at Union were 'well united, and thoroughly in interest with their brothers at Ladysmith.' He asks that all encouragement possible should be given the brother workers at Union, because they have to encounter the competition of so large a number of Chinese and Japanese. On April 13 the secretary of the Ladysmith union wrote a congratulatory letter to the men at Union, in which, on behalf of the Ladysmith union, he says in regard to their

having formed an organization: 'We feel you have strengthened our hands considerably in so doing.' On April 15 he also sent a communication to Shenton, at Nanaimo, stating that he and the president of the Ladysmith union would attend a meeting of the Nanaimo union on the 18th instant, to lay before that union the situation of the men at Ladysmith in regard to their need of financial assistance. Having heard these delegates on the 18th, the Nanaimo executive board recommended to its regular meeting that an assessment be levied on its members to assist the men at Ladysmith, and that an arrangement should, if possible, be effected whereby a joint executive meeting of the Union, Ladysmith and Nanaimo unions, might take place. In furtherance of this recommendation the recording secretary of the Nanaimo union, on April 20, informed the secretary of the branch at Union that representatives from Ladysmith had been at a meeting of the Nanaimo union on the 18th, and that from their representations it was evident that assistance was greatly needed; that the Denver executive could not recommend aid until there had been a full meeting of its board. Meantime it was advisable for local unions of the Western Federation of Miners to assist Ladysmith. With a view to making some suitable arrangement a meeting was being called for the 25th instant to go into the matter, and it was requested that one or more delegates from Union should attend this meeting.

What representations, other than those relating to the need of financial support, were made by the delegates from Ladysmith at the meeting of the Nanaimo union on the 18th, the Commissioners were not informed. All the witnesses, without exception, however, who were asked in regard to the relations between the Union and Ladysmith organizations were emphatic in their denial that the subject of a sympathetic strike at Union was so much as hinted at by any persons in authority. Furthermore, those who were questioned on the matter denied having had any conversation or discussion in regard to it with Baker.

The Strike at Union a Sympathetic Strike.

On April 21, however, four days before the joint delegate meeting, at which representatives from Union were to be present, was held at Nanaimo, Baker wired the following message in cipher from Nanaimo to Moyer, president of the Western Federation at Denver, Colorado :

Ladysmith asks Cumberland (Union) out in sympathy. I approve. Have we your consent.
Answer.

The next day the following telegram, signed by both Moyer, the president, and Haywood, the secretary of the Western Federation of Miners, was received by Baker at Nanaimo :

Denver, Colo., April 22, 1903.

J. J. Baker,
Nanaimo.

We approve of calling out any or all men necessary to win at Ladysmith. Organize Japanese and Chinamen if possible.

(Sgd) CHAS. MOYER,
President W.F.M.
WM. D. HAYWOOD,
Secretary.

Deception practised by Canadian Organizer of W. F. of M.

The use made by Baker of this reply, and the concealment by him from apparently all Canadian officials of the nature or contents of the telegrams sent by him to Moyer, in which he stated that Ladysmith asked Cumberland (Union) out in sympathy, point, in our opinion, to a deliberate move on his part to bring about a strike at Union which might strengthen the hands of the strikers at Ladysmith, and at the same time stop the supply of coal to the Canadian Pacific Railway from Union; and this view is supported by the evidence, amongst others, of Shenton, who expressed his inability to account for Baker's action in this connection on any other hypothesis than that of deception and the absence of good faith in dealing with the officers of the Canadian unions.

At the meeting of the joint delegate executive board at Nanaimo on the 25th of April, there were present two representatives from Ladysmith, three from Union and three from Nanaimo. According to the minutes of this meeting, which extend-

ed over two days, and the evidence of witnesses who were present, the meeting concerned itself with the discussion of measures calculated to secure the success of the strike at Ladysmith and the matter of aid to the strikers. The question of a sympathetic strike was not brought up by any one, nor does the telegram sent by Baker to Denver, or the reply received by him from the officers there, appear to have come before the meeting in any official way. The assessment of different unions to assist the strikers at Ladysmith, and the taking up of subscriptions to aid them, were the matters discussed. There was also some discussion of the Conciliation Bill which was before the provincial legislature at the time. On the 26th it was decided to send three delegates to Victoria with a view to bring the situation at Ladysmith to the attention of the provincial government, and to have pressure brought through this source, if possible, on the president of the company which might lead to a settlement of the dispute on the lines of recognition of the Western Federation of Miners and the reinstatement of men discharged at Ladysmith and Union. The delegates appointed at this meeting proceeded to Victoria on the 27th, and interviewed the government on that day and the day following, returning to Nanaimo on the 29th, when they reported the result of their interview to the joint executive board.

Double dealings with Union Officials.

While the two telegrams above referred to were not officially discussed at any of the meetings of the joint executive board, use was, nevertheless, made of the reply received by Baker in conversations which he had with members of the joint board. It would appear that he made particular use of the telegram approving of the calling out of all men necessary to win at Ladysmith. Shenton swore that he himself was strongly opposed to calling out any of the men at Union, and that his opposition to such a course of action was well known to Baker. He testified further that Baker did

not discuss the matter with him at all, and that until the sittings of the Commission he knew nothing whatever, either of the telegram which had been sent by Baker to Moyer or of the reply. The only way in which he could account for the fact that Baker had not taken him into his confidence in regard to these messages was that Baker knew of his opposition and did not wish to encounter it. He stated, however, that as one of the chief executive officers of the Nanaimo union, he was entitled to the fullest confidence in a matter of this kind from the Canadian organizer, and that Baker's action in not extending this confidence was unjustifiable and wrong.

There appears on the other hand to have been a definite understanding between Baker and the delegates who were present at the joint executive meeting from Union. The telegram from Moyer and Haywood was shown by Baker to these men, and given by him to Barber, the president of the union organization, to take back with him to Union. The impression conveyed to these men by this telegram, and Baker's representations in regard to it, was that they might count on the support of the Western Federation of Miners in the event of their declaring a strike. So strong was this impression that when Barber and other officers of the union were questioned as to whether or not the constitution of the Western Federation of Miners had been violated in consequence of the strike having been declared at Union, without the previous approval of the executive at Denver, the telegram from Moyer and Haywood to Baker was produced by these officers as their authority for the statement that this approval had been secured in advance. None of the officials of the union, however, knew anything of the contents of the telegram sent by Baker to Denver, and to which the telegram they had in their possession was the reply. It was with some difficulty that this telegram was obtained by the Commissioners. It had to be secured under subpoena from the telegraph agent at Nanaimo, and when obtained was found to be in cipher.

Strikers at Union Misled.

Upon the telegram being deciphered it was felt by the Commissioners that its contents should be communicated to the men, in view of the fact that all of the witnesses at Union had testified that there was no relation between the strike there and the strike at Ladysmith, and that some had declared emphatically that they would in no way have countenanced a sympathetic strike. The officers of the union who had testified were first recalled, however, and questioned again as to whether or not they had had any knowledge of the telegram sent by Baker to which the telegram given Barber was the reply. To which they all answered that they had none. Asked as to whether they would have in any way been parties to a sympathetic strike with Ladysmith, they declared they would not. Asked further as to whether, in the event of there being evidence to show that Baker had been instrumental in seeking to bring about a sympathetic strike, they would feel that they had not been taken into his confidence, and that he had not dealt with them as his relation to them required that he should have done, they replied in the affirmative.

The telegram—'Ladysmith asks Cumberland out on sympathy. I approve. Have we your consent', sent by Baker to Moyer on the 21st of April was then read aloud, and so far as the Commission is able to ascertain, this was the first intimation that any of the men at Union had of the nature of its contents.

Misleading Testimony given before Commission.

Baker's own evidence before the Commission in regard to his connection with the strike at Union would indicate that he respected his oath as little as he did the trust that had been reposed in him by the workmen of the province on whose behalf and in whose interest he pretended to be acting. Questioned by the Commissioners at Ladysmith on May 7, as to his knowledge of affairs, Baker replied as follows :

Q. Can you tell us, Mr. Baker, what you know about this Cumberland (Union) strike.

A. I simply got a wire saying they were out, and asking me to go up there.

Q. You had nothing to do with the initiation of that strike?

A. No, sir.

These replies were given with full knowledge of the telegram which he himself had sent in cipher to the chief executive officers at Denver, and of all the dealings which he had had with the miners at Nanaimo, Ladysmith and Union.

It is interesting to note, in connection with this same matter, that, according to the testimony of witnesses who were examined at Ladysmith, there appears to have been a meeting of Ladysmith miners about the end of April, at which a motion was put requesting that the union men should come out in sympathy. Baker was present at this meeting, and when the question was raised that possibly the constitution of the Western Federation would stand in the way of any action of this kind, he represented to the meeting that there need be no fear of embarrassment or hindrance on this score, as he could secure the consent of the executive at Denver, and that the constitutional difficulties would be overcome. Barber testified that at the joint executive meeting at Nanaimo Baker had given him assurances that the Western Federation of Miners would stand behind a strike at Union and help it financially, and this he (Barber) had construed as the approval of the Western Federation before the strike.

Precipitous Proceedings prior to Strike.

The proceedings preliminary to the meeting of May 2, at which it was decided that the men would go on strike, were hardly less mysterious or hasty in their nature than were the proceedings leading up to the creation of the organization. The delegates to the joint executive meeting at Nanaimo had returned but a short time to Union when the committee of three was appointed from the union to interview the manager of the company and ask for the reinstatement of the officials who had been dismissed, in the order of their dismissal. The manager having refused to accede to this demand, notices were forthwith posted in different

places calling a meeting of the union for May 2. There does not appear to have been more than twenty-four hours' notice given of this meeting. A little over 200 were present when the meeting assembled on May 2. A resolution was carried that because officers had been discharged after the organization had been formed on April 5, a ballot should be taken on whether or not the men should stop work until such time as the officials and members who had been discriminated against by the company were reinstated in their proper order, with full recognition of the Western Federation of Miners. This resolution was voted upon, and only 12 ballots opposing the strike were cast.

It would appear that at this meeting the miners were informed that in the event of declaring a strike they would have the full support, financially and otherwise, of the Western Federation.

Strike declared in Violation of Terms of Constitution.

Article 5, section 1, of the constitution of the Western Federation of Miners declares that :

It shall be unlawful for a union to enter upon a strike unless ordered by three-fourths of its resident members in good standing voting. Such questions shall be decided by a secret ballot at a special meeting called for that purpose, after having received the approval of the executive board of the Western Federation of Miners. Should any employer or employees attack the rights of the members of the union or its established principles, without allowing the union sufficient time to notify the executive board of the proposed change, then the members shall have the right to declare a strike to maintain their rights. In this they shall be assisted by the executive board.

The telegram sent by Moyer and Haywood to Baker, and handed by him to Barber, was read to the meeting as proof that the approval of the executive board of the Western Federation, as required by this clause of its constitution, had been obtained. It did not appear, however, from anything given in evidence that the clause of the constitution requiring that a special meeting should be called for the purpose had been complied with, for, as already mentioned, the notice calling the meeting

did not state for what purpose it was being called.

The day that the strike was declared the secretary wired to Baker at Nanaimo: 'Cumberland Miners' Union No. 156 decided by unanimous vote to-day to come out on strike. Come up if possible.' Baker, on May 4, wired in reply: 'Will come to-morrow evening.' Owing to the fact, however, that the Commission had commenced its sittings at Ladysmith, Baker did not go to Union, but in the course of a few days sent Shenton in his place. On May 11 he addressed a letter to the executive board of the miners' unions at Ladysmith, Nanaimo and Union, stating that he was obliged to leave owing to pressure of work. He recommended co-operative arrangements among the three boards and means of speedy communication, stating in his letter that for all the unions this was a common cause. On the day following, the 12th, on board the steamer taking him from Nanaimo, he wrote a personal letter to the secretary of the union at Union, giving his reasons for not having been able to go there, and explaining that he had sent Shenton in his place, as he regarded the men in Union as 'too new in organization to be secure against bombardment.'

Movements largely directed from Denver, Colorado.

With the exception of the telegram, to which reference has been made, and one or two other communications, it was not possible for the Commission to secure information which would throw any further light on the nature of the correspondence which took place between Baker and the executive officers of the Western Federation at Denver. However, such evidence as was produced would indicate a continuous correspondence between the organizer for Canada and the chief executive officers at Denver. For example, the mention in the telegram of April 22, from Moyer and Haywood to Baker—'Organize Japanese and Chinamen if possible,' when no mention of the subject

had been made in the telegram to which this was a reply, would indicate that the officials at Denver had been previously informed of one important element that would have to be taken into consideration in any efforts to bring about a successful strike at Union. The fact that in a letter to local unions Baker had spoken of the number of Chinese and Japanese at Union as a source of discouragement to the union members there, and this only after organization had taken place, and before a strike had been mentioned, would indicate that this difficulty had been present in his mind. These facts jointly considered make it fairly apparent that the Canadian organizer had fully informed his fellow members on the executive at Denver of the exact situation in view of a probable conflict.

Re the Organization of Chinamen and Japanese.

Evidence was given by the Rev. L. W. Hall, a Chinese missionary at Union, to the effect that while Shenton, whom he had not previously known, was there as the representative of Baker, he (Shenton) had called upon him and introduced the subject of organization among the Chinese, and that from his conversation he judged that Shenton was desirous of having the Chinese organized, and that the Western Federation would support any efforts in that direction. Shenton did not deny having had a conversation with Hall upon this subject, but contended that his visit to Hall's house had not been with the object of interviewing him on that particular subject, and that Hall had brought up the subject himself, and that all suggestions and propositions had come from him. He admitted that there had been some talk about guarantees being given by the Western Federation, and that he had mentioned this point to Baker on his return to Nanaimo. He adhered firmly, however, to the statement that he had in no way approved of, nor was he favourable to the formation of a labour organization among the Chinese and Japanese.

Review of facts shows Strike at Union brought about by intrigue.

The formation in the first instance of an organization among the miners at Union, through the instrumentality of agents sent there for this express purpose and not because of a general desire on the part of those concerned, or even of the existence of conditions which would naturally create such a desire, and in the presence, moreover, of circumstances which at any other time would have led to the rejection of any proposal to form a union—as, for instance, the realization by the miners that the men at Ladysmith were out of work by reason of their having joined the Federation in defiance of the company; the request by Baker, assuming to act on behalf of the Ladysmith union, for instructions for a sympathetic strike at Union; the command of the executive at Denver to call out all men necessary to win at Ladysmith and to organize the Chinese and Japanese; the trickery and deception practiced by Baker in the manipulation of these telegrams, and of the members of several committees with which he had to deal; his own false testimony before the Commission in regard to one of the most vital points of the whole inquiry; his action in forcing organization at any cost, and the action of the officials at Union, with whom he had been in communication, of a like desire to precipitate a strike at that place regardless of the terms of the constitution, and with the evident sanction and approval of Baker and other members of the Denver executive, and the statement of Estes that he would tie up the mines on Vancouver Island;—these facts, together with the circumstances that so long as the mines at Union could be successfully worked, the miners at Ladysmith would find it very difficult to cope successfully with the company, and that the company would be still in a position to fulfil its contracts with the Canadian Pacific Railway, lead us inevitably to the conclusion that, as in the case of Ladysmith, the explanation of the cause of the strike at Union is to be found rather in the conditions existing elsewhere

at the time, than from any general feeling of dissatisfaction in regard to the conditions of their employment among the miners at Union, and that it was the result of a carefully contrived and skillfully executed intrigue on the part of persons acting as part of, or in connection with the executive of the Western Federation at Denver, and which, but for the action of this executive and its members, would not have taken place.

Strikers not Supported by W. F. of M. as promised.

We feel that the extent of the deception practiced by the officials of the Western Federation, and the harmful consequence to those whose acts the Federation has pretended to champion, to say nothing of the injuries which have been caused the public as a direct consequence of these strikes, would not be fully realized, if this report did not contain a direct reference to the nature of the treatment which the miners, both at Ladysmith and Union, have received from the Federation since the strikes were declared. The one reason for joining the Western Federation, alleged at both these places on the part of all the witnesses who testified on the matter, was that the Western Federation was a numerous and powerful body, and that they had full assurances that in the event of its support being required at any time they would receive sufficient financial assistance. Notwithstanding the fact that the strike at Ladysmith had been in existence for over two months at the time the Commission commenced its sittings at that place, and that there appeared to be, even at that time, considerable suffering and need of assistance among the miners and their families, the Western Federation had contributed but a few hundred dollars to the relief of the most urgent cases. Not until eleven days after the strike at Union had been declared, was word sent to the miners at Ladysmith that a draft for \$1,000 for their relief would be mailed on the following day. Not having received this draft by the 16th of May, and being reduced to ex-

tremity, the secretary of the Ladysmith union wired to the secretary of the Western Federation at Denver, as follows:—

Can you support us with \$14,000 (less than one-fifth of their usual earnings) per month? Answer at once, yes or no.

On the 18th a reply was received to this telegram as follows:—

Baker has not arrived yet. Will answer your message later.

At the time of present writing, so far as can be ascertained, the Western Federation had done very little more for the relief of destitute families at Ladysmith, and little or nothing by way of assistance to the men at Union.

Results of Ladysmith and Union Strikes.

The mines at Union have never been closed, owing to the employment of a large number of Chinamen and Japanese at that place, but virtually all the white labour is still unemployed. The mines at Extension remained closed from the 12th of March, until the 3rd of July, despite the fact that many efforts were made at settle-

ment between the president of the company and the employees at that place.

The men not having received the assistance from the Western Federation which they were led to expect would be extended, resolved by a majority to return to work, and some 200 of them have been individually re-engaged on terms not quite as favourable as when they went out. In the same manner the miners at Union, except those whose places have been filled, will probably resume work in a few days.

It will thus be seen that these strikes have been not only barren of beneficial result to the miners, but that they have lost in wages over \$350,000, while business in Ladysmith and Union has been brought to the vanishing point.

We may add that we are informed that the miners at Fernie, Morissey and Michel have abandoned the Western Federation, and have joined the United Mine Workers of North America and that similar action is being discussed among the miners at Nanaimo.

CHAP. VI—GENERAL CONCLUSIONS.

HAVING now detailed the causes which led up to the strikes, which we were specially commissioned to investigate, and having set forth their inter-connection, as well as the principal occurrences to which they gave birth, we now proceed shortly to discuss the general questions which they raise for consideration.

Duties of Employers and Employees in regard to Strikes.

As strikes are intended to cause loss and inconvenience to the employer in order to force him to yield in whole or in part to the demands of the strikers, and as they always cause loss and privation to the strikers themselves; and as they are almost invariably followed by loss and damage to many others in the community where they occur; as they are in some cases accompanied by sympathetic strikes and are frequently accompanied by reprehensible and illegal practices, such as boycotting, blacklisting, picketing and intimidation, and sometimes by assaults, riots and loss of life and property; it is the plain duty of the employer and employed, and of the state, to exhaust all possible means to secure their prevention.

With respect to the employers and the employed, it is their clear duty to the community, whose protection they both enjoy, to meet each other either by themselves, or through the mediation of third parties, and by temperate discussion and conciliation, settle their difficulties as best they can, each making considerable sacrifice, if necessary, to avoid the loss and injury which will otherwise occur to the public. And here it may not be amiss to warn employers of labour that the old relation of master and servant no longer obtains, that it has been supplanted by that of employer and workman, with the probability that it will develop in the near future into that of co-contractors. There is no doubt that a con-

siderable percentage of strikes are caused, not so much by the refusal of the employer to yield to the particular demand, as by the way in which it is done, or by a long course of arbitrary conduct. One of the results of the spread of unionism throughout the various trades has been to put the workman in a better position to make terms with his employer; to preserve his independence of character; he is now able to drive a bargain and does not have to accept a dole. Formerly, employers were too often in the habit of regarding their men as so many machines or units of labour, and those of them who felt humane instincts thought they fulfilled their whole obligation if they gave an occasional extra remuneration or bonus, or conferred some benefit which they regarded as a gratuity. But the workmen of modern times demands as his due a fair day's pay for a fair day's work, and that he shall get a reasonable share of the product of his toil; what he seeks is honourable employment, not slavery; he wants fair dealing and justice, and not charity or patronage.

It is necessary, then, in their own interest, and in that of the community generally, that employers bear in mind that they are no longer dealing with submissive and unquestioning units of labour, but with sentient beings who have, equally with themselves, senses, affections, desires, doubts and fears. It is, therefore, especially incumbent on corporations, and other large employers of labour who do not come in personal contact with their employees, to place persons of tact and discretion in all the offices of superintendence, and to forthwith dispense with the services of any one who is found to be tyrannical or arrogant in his dealings with the men. Many a strike could have been averted if the employer or his superintendent had taken the trouble to reason the whole matter out with his men,

and had shown them why he was unable to accede to the demand. In this connection we may refer to the case of the Nanaimo colliery, operated by the New Vancouver Coal Mining and Land Company. For fifteen years this colliery has been worked with union labour, the numbers often reaching 800 men, and owing to the reasonable and conciliatory attitude towards each other of the superintendent, Mr. S. M. Robins, and the officers of the union, there was never any strike during his term of office, which lasted until a few months ago, and on more than one occasion the adjustment involved a reduction of wages.

Rights of Employers and Employees in regard to Strikes.

With respect to the rights of employers and workmen in relation to strikes and lock-outs, we think much would be gained if these could be clearly set forth in a code.

It is generally recognized that the workmen are justified in combining together to secure increased wages or shorter hours, or other legitimate changes in the conditions of their employment, and failing assent by their employer, in quitting simultaneously, or, as it is called, going out on strike. And this even though it may occasion the employer great loss and damage, unless some valid contract is thereby violated; or unless the strike is such as to amount to malicious injury to property; or is liable to cause loss of life; or is in furtherance of a conspiracy to injure or restrain trade, some of which acts involve only civil, others both civil and criminal liability.

On the other hand, we think that public opinion, as well as that of those prominent in labour circles, emphatically condemns the sympathetic strike, the boycott, intimidation, the blacklist, and picketing as it is commonly practiced.

Rights of Union and Non-Union Men.

It is one of the fundamental rights of a free people that every man shall choose for himself whether he shall belong or not to a union, and that whether he belongs or not he may work without being insulted, mo-

lest, intimidated or oppressed by any person or union whatever. It is also clearly one of the fundamental rights of every employer that he may employ any man he chooses, subject, of course, to any laws that may be regulating the particular business. Tried by this test, the sympathetic strike, which is declared on account of the employment of non-union labour to take the places of other strikers, is irrational and wrong. The original strikers may have the legal or moral right to strike on account of some disagreement with their employer, but they have no right by force to make him keep their places open until they see fit to return, or to beset, boycott or intimidate men who may see fit to work on the terms which they reject. Then, if they have no such right *a fortiori*, other union employees who may be working for the same or a different employer, have no right to interfere or to strike because of the employment of such substitute labour. A number of Protestant workmen might just as well claim a right to force the employer to discharge or refuse employment to Roman Catholics as union men claim a right to force the employer to discharge or refuse employment to so-called 'scabs.' Such a claim has no foundation whatever, either in law, reason or morals, and is opposed to the fundamental rights of a free people and amounts to a tyrannical attack on the rights of others; and therefore we think that strikes solely because of the employment of non-union labour ought to be made punishable by law.

Sympathetic Strikes.

Similarly, other kinds of sympathetic strikes ought to be rigidly repressed, as they are opposed to public opinion, and to the great mass of opinion among the labouring classes themselves, as well as to natural justice and reason. For instance, take the case of a strike by a body of coal miners solely for the purpose of preventing coal being supplied to a railway company which has had a disagreement with some of its employees. Upon what principle can this be justified? Why should the employer of

the coal miners be forced to break his contract with the railway company? Why should he be subjected to great loss and damage because of a disagreement between others to which he is not a party, and which arises through no fault of his own, and why should the innocent public and neutral industries be subjected to embarrassment and loss? And yet, it appears that it was actually doubtful as to what course the Nanaimo branch of the Western Federation would have taken, had their employer been supplying any coal to the railway company at the time of the strike by the United Brotherhood of Railway Employees, and one of its officers intimated that it would be well for the coal company to have an agreement with the men which would preclude the possibility of a strike under such circumstances. It may be added on the authority of Carroll D. Wright, Commissioner of Labour at Washington, that the history of the sympathetic strike is practically an uninterrupted story of defeat, and last year the statement was made by John Mitchell, president of the United Mine Workers of America, that he had never known a sympathetic strike to succeed.

The Strike for Recognition.

Whether the strike for recognition should be allowed or prohibited is not so easy to determine. It is true that in theory a body of men should have the right to say that they will deal collectively and not individually with an employer; and if all that was meant by a strike for recognition was that they would merely refrain from work until the employer saw fit to accede to the demand, such a strike could not be regarded as inherently wrong; but the fact is that strikes solely for recognition are frequently accompanied by the coercion by illegal practices of both employers and any non-union men who may be disposed to take up the work which the strikers have left.

At the same time it must be remembered that unionism and the demand for recognition of the union, i.e. of the right to make a collective bargain, are the natural outcome of the present stage of industrial

development. In former times the workman had an immediate interest in the instruments of production, and in the disposal of the finished product, and while all workmen were not masters, the masters were all workmen, and the possibility at least of becoming a master was open to apprentices and journeymen alike. (Where the wages contract existed it was a matter of individual bargain between persons who were likely to be associated together in the work of production. Now-a-days the workmen, for the most part, are massed together for the purpose of doing work on material supplied to them by the employer, who is generally a corporation or trust represented by a manager and sub-managers, who are selected for their capacity to drive advantageous bargains and extract as much work out of the men as possible. The corporation or trust represents the collectivism of the employers, and it is natural and logical that the same spirit should animate the employed. If compelled to contract for himself alone the modern workman would generally have to deal with a purely mercenary organization which is in a position to take advantage of his fellow workman's necessities in order to compel him to accept terms which a union, dealing on his behalf, might be justified in refusing, and able successfully to reject. The right view of this matter, then, seems to be that the strike for recognition, that is, for the right to make a collective bargain, should not be declared unlawful, but that it is specially incumbent on the authorities, when such a strike takes place, to see that no illegal or criminal methods are used to reinforce it.

There is, however, one way for unions to get recognition which is obviously the surer and the best way. It is by showing employers by experience that it is to their advantage to deal with unions as such, and that the unions will regard the interests of the employers as well as their own, remembering that the financial burdens and risks of the business fall upon the employers. And here, it may be remarked, lies the essential difference between the legitimate trade unionist and the revolutionary socialist: the former realizes that he has a common

interest with the employer in the successful conduct of the business; the latter postulates an irreconcilable hostility and is ever compassing the embarrassment or ruin of the employer, all the while ignoring the fact that capital and labour are the two blades of the shears which, to work well, must be joined together by the bolt of mutual confidence, but, if wrenched apart, are both helpless and useless.

It is also necessary for the unions, in order to win recognition, to leave no doubt in the minds of employers that they appreciate the obligation of contract, and in this regard we are glad to note that the importance of this is realized by the majority of the unions and their leaders, as is illustrated by the letter of the president of the International Boilermakers' Union, already quoted.

Definition of rights and duties of Unions needed.

The majority of workmen feel the necessity for some kind of organization, and organize they will, in some form or other, and therefore their right to combine to improve their conditions and to form unions for that purpose ought to be better recognized and regulated by law than it is. It is better that they be encouraged to establish legitimate unions which will be clothed with responsibility for the exercise of power, and which will, therefore, be more readily recognized and dealt with by employers, than that they should join secret organizations, some of which are really nothing more than conspiracies against society in general and employers in particular.

At the present time nearly all the industrial callings in Canada are organized, and some three or four score of them as integral parts of international unions which have their headquarters in the United States.

International Organizations.

It is, we think, a very difficult question as to how far the joining by Canadians of these organizations ought to be sanctioned or interfered with. Many of them claim the right to approve of any settlement

which may be arrived at between the employer and their members as the result of a strike, especially if the members have been receiving strike pay, as, for instance, in the case of the Western Federation of Miners, Article V, section 2 of the constitution, of which is as follows:—

Any contract or agreement entered into between the members of any local union and their employers as a final settlement of any difficulty or trouble that may occur between them shall not be considered valid or binding until the same shall have the approval of the executive board of the Western Federation of Miners.

Nor is any contract recognized as valid which conflicts with the rules of the union, which are generally framed to suit the union without the authority or sanction of any law. It is thus plain that a Canadian, when he joins such a union, surrenders a considerable portion of his freedom in matters of contract to a small body of men in a foreign country, and is, to that extent at all events, subject to their dictation. However, so far as we have been able to gather, the control exercised by these foreign officials has, generally speaking, not been inimical to the interests of the Canadian members either as workmen or as British subjects. They have, generally speaking, stood for the observance of contracts, and appear on the whole to realize the necessity for fair and reasonable dealing with the employers, although the cases of the Bakers' Union and the Garonne, already detailed, are conspicuous exceptions.

The main arguments advanced by Canadian workmen for the necessity of joining these international organizations are as follows:—First, that they are too few in numbers to form effective organizations of their own. For instance, in the case of the printers, there are only about 2,400 union men in all Canada, whereas in the International there are about 55,000. This body is strong enough to maintain a large benefit fund and a home for destitute and aged printers in Colorado. Second, there is greater economy in the administration of the international body, and so a greater margin for benefit funds. Third, membership in such organization practically insures work anywhere in North America. All the member

has to do is to present his membership card to any official who proceeds to secure him work, and until he gets it he is assisted by the union. Fourth, in the event of strike, they have the co-operation and financial aid of a powerful body, and the chances of substitute labour coming from the other side to take their places are reduced to a minimum, as of course no members of the union would come over to take their places.

The chief objection to the system of international unions is the liability of Canadian workmen to interferences by the officials in matters of contract and settlement of differences with their employers. If, however, parliament were to declare that notwithstanding anything contained in the constitutions or in the rules of the international bodies, any agreement arrived at by the employer with his employees in settlement of disputes shall be valid and binding, we think the most formidable objection to these bodies would be removed.

Certain Labour Organizations not Legitimate Trade Unions.

There is, however, a class of so-called union developing rapidly in Western America, which is really not a trade union at all, but a secret political organization whose members are bound by an oath so strong as to be considered a shield against giving any but forced testimony before the Commission. The primary object and common end of this class of organization is to seize the political power of the state for the purpose of confiscating all franchises and natural resources without compensation, and to this class belong the American Labour Union, the Western Federation of Miners and the United Brotherhood of Railway Employees, with an aggregate membership of between 200,000 and 300,000 men. These three, as already stated, are in confederation with each other, the two latter being affiliated with the former, and, as we have just seen, their leaders were engaged in a conspiracy to sweep all the employees of the Canadian Pacific Railway into the

United Brotherhood, and all coal miners into the Western Federation, and no doubt with a view to being able to stop all transportation and coal mining whenever it might appear expedient in the advancement of the common end.

All these bodies have declared for socialism, and the following resolution was, we understand, passed by a vote of 125 to 20 at the last convention of the Western Federation of Miners, held at Denver on June 4, 1903 :

‘Whereas, the natural resources of the earth upon which humanity depends are being swiftly concentrated into the hands of the privileged few ; and

Whereas, political independence is a bauble and a delusion while the tolling millions bear the yoke of wage slavery in the industrial field ; and

Whereas, no man among the vast army of labouring humanity can successfully assert his manhood while his necessities make him a suppliant at the feet of another for a job which he must have to sustain life ; and

Whereas, the privileged few who own the jobs which the many must have must necessarily own the man ; and

Whereas, capitalism can never be dethroned and wage slavery abolished until the natural resources of the earth and the machinery of production and distribution shall be taken from the hands of the few by the political power of the many, to become the collective property of all mankind, to be utilized for the use and benefit of all humanity ; and

Whereas, the socialist party is the only political party in any nation of the world that demands that the land and the machinery of production and distribution shall become the common property of all, and that labour shall receive the full product of its toil ;

Now, therefore be it resolved, that the delegates of the Western Federation of Miners in their eleventh annual convention assembled, reaffirm the political policy of the tenth annual convention, believing that the principles enunciated by the socialist party will make man the ‘noblest work of God,’ woman the queen of the home, and the child the bud and blossom of an emancipated generation.’

An amendment to the constitution was also passed, obligating the local unions to obey the direction of the executive when called upon by them to go out on strike, which has not yet been submitted to the referendum, as required by the constitution, and as already mentioned a resolution was also adopted at the request of the United Brotherhood of Railway Employees declaring the Canadian Pacific Railway ‘unfair.’

**The Western Federation of Miners, the
United Brotherhood of Railway
Employees and the American
Labour Union.**

It is obviously against the public interest that any body of Canadian workmen should be subject to be called out on strike by a foreign authority over whom neither our legislatures nor courts can exercise any control, and that whether they have any grievances against their employers or not. Whether the wheels of Canadian industry shall run or shall rust ought not to depend upon the decrees of a secret council at Denver. With regard to these organizations we think they ought to be specially declared to be illegal, as their leaders have shown that they care nothing about the obligation of contracts or about the interests of their employers, against whom they are ever fomenting discontent; that they ignore the constitutions and rules of their own organizations whenever it suits them to do so; that they at all times preach the doctrine of confiscation of property without compensation, and that society is divided into two classes, the toilers and the spoilers; that they justify the use of the boycott and the sympathetic strike; that they do not disapprove of violence and intimidation; that they are wholly indifferent to the loss and damage which they inflict upon the public; and that they recklessly allow suffering and privation to befall the families of their misguided followers, with regard to whom they are constantly guilty of deception and concealment.

There is an additional reason in the case of the United Brotherhood of Railway Employees, which is that it is the aim of this body to force all classes of railway employees, from the highest to the lowest, together into one organization, in opposition to the wishes of virtually all of the existing railway unions. The great majority of the railway men have no such desire. They have their own class organizations which contract on their behalf with the company, and with which they are satisfied, as, on the one hand their grievances are passed on by

a committee of their own number who fully understand them, and, on the other hand, they deal directly with those officials of the railway who are in control of the department to which they belong. It is obvious that a committee of car labourers or freight handlers could not deal as intelligently with a trouble arising among the conductors or engineers as the latter can themselves; in fact the latter (who are, according to one of the sympathetic strikers, the aristocrats of unionism) would not submit to have their movements dictated by the former. To allow an organization like the United Brotherhood of Railway Employees to gain any foothold among the employees of a great railway system like the Canadian Pacific Railway, would be to introduce the bitterest dissensions among them, and at the same time make it impossible to carry on the proper management and discipline of the railway, which is just as necessary as in a ship at sea. The best evidence that the United Brotherhood of Railway Employees is not wanted by railway employees as a whole, is that the engineers, conductors, firemen, trainmen, &c., of the Canadian Pacific Railway, although appealed to, refused to come out in aid of, or to render financial assistance to that organization. Moreover, this body has not gained any official recognition from any railway company, so far as we are aware, nor could this be expected, as a glance at its constitution will show that it is not a trade union at all, but in reality a one-man despotism.

Incendiary and Scurrilous Literature.

Another reason for parliamentary condemnation of these organizations is that it might serve to stop the distribution of their incendiary and scurrilous literature. As examples of the kind of matter which is periodically put forth in the journals of these bodies, we may quote the following extracts.

In an editorial in the official organ of the Western Federation of Miners, the *Miners'*

Magazine for April, 1903, at page 46, the following statement appears:—

Organized labour has been fighting on the industrial field to maintain a wage compensation that enables the human family to obtain some of the necessities of life, but organized labour is arousing from the hypnotic spell of fake leaders, and moving towards the political battlefield where capitalism will be assassinated for once and forever.

Commenting on the statement of the Governor of Colorado that 'If a man wants to work, he has a perfect right to do so, and the troops are there to see that everybody's rights are protected', the editor says, at page 10:

These mouthings of the governor convict him as an official assassin of labour's rights, a servile tool who has disgraced the executive chair by turning over to the corporations the power of his office, to be utilized for the aggrandizement of watered stock gamblers.

At page 17 he quotes with approval the following from an editorial in a Denver paper:—

Now, the situation is this: the miners of this state do not propose to submit to such oppression. They are advocates of law and order, and they will not long permit it to be violated even by the state's chief executive. There is a grave danger in pushing oppression too far, and it is certain that the miners are now in a mood to strike back. They will preserve their liberties and retain their rights if it is necessary to pass through the Red Sea of revolution in order to do so. The colonists had less occasion to rebel against the authority of King George than have the miners of Colorado to resist the oppression of Governor Peabody.

Again at page 23:

The man who will scab on strikers will scab on his honour, if it is possible for a scab to have any honour.

Commenting on the following statement of John Mitchell, president of the United Mine Workers of America, 'I do not believe that in our country there should be an irreconcilable conflict between labour and capital. Notwithstanding the fact that I have gone through quite a number of strikes, I have not yet abandoned my opinion that if the representatives of capital and the representatives of labour can be brought together, and if they can sit down in honest conference, if they will look one another straight in the eye and tell one another the absolute truth, I believe when that is done that the day of conflict between capital and labour shall end' the editor says, at page 40:

There can be no reconciliation between the capitalist and the labourer, and no one is in a better position to realize this fact than Mr. Mitchell.

At page 59 appears the following letter, with no signs of disapproval from the editor:

Park City, Utah, March 5, 1903.

Editor *Miners' Magazine*:

The United States government is arming 100,000 more murderers to assassinate labour, and still some toil worn fools sleep on!

Come, ye uniformed butchers to the slaughter your Neroes prepared for us! We welcome you with bloody arms to the graves your tyrants dig for labour! The star-spangled banner of barbarism that floated over the blue-bellied Hessians in the Cœur D'Alenes hath no terrors for patriots who will die, as they have lived, for liberty.

The army reorganization bill is a notice served on labour that liberty is sentenced to death; and that unless labour prefers peace at the price of chains and slavery, it must arm itself for labour's Gettysburg, and give battle to tyranny for victory or death. The enemy's advance guard is already thundering at the gates of labour's Lexington. Do your pickets sleep and your soldiers dream? Can none of you see the crimson dawn of the American Thermidor, and the stalking phantom of Robespierre? Your laws defied, your rights denied, your last liberties assailed by the Goths and Vandals of plutocracy, and still ye cower in submission to the galling yoke of Cæsar! Peace—with hunger! Liberty—to starve!

Famine for your wives, whoredom for your daughters, slavery for your sons, and chains and bayonets for you! This is the terms of surrender your enemy proposes! Let your answer be the answer of Sumpter to the guns of Beauregard!

SALTAIRE.

At page 68 appears the following:

Then let them march to the polls as free men, not as slaves, and cast their ballots for the emancipation of the wage slave, a ballot that will not disgrace the gubernatorial chair with a despot, who is the willing tool of plutocracy, who, at the beck and call of a corporation hiring sends out his peanut soldiers to awe honest labour into servile subjection for demanding their right to organize and to petition for a little more wages to keep the wolf from the door. A ballot that will banish forever master and slave. A ballot that will not disgrace 'Old Glory' by floating over corruption and petticoat soldiers, who would murder their brother in toil if it would win an encomium from their master. If I had the power of the Almighty I would gather them all up and place them under my heel and grind them into the dust of oblivion.

Faternally,

W. T. HUBBELL,

Globe Miners' Union, No. 60, W. F. of M.

The following appears in the editorial New Year's Greeting in the January number:

We believe that organized labour throughout the west is approaching a crisis. The merging of railroads and coalition of millionaires in the

industries of manufacture are the signals that that would warn the forces beneath the banner of unionism to prepare for the fray. 'In times of peace prepare for war.' There is generally a lull before a storm, and the temporary calm sometimes gathers the force of a cyclone to render impotent a weak and staggering resistance. The question arises: what shall the members of the Federation do to neutralize the ominous portending shadows that point to a measuring of strength between labour and capital? We would suggest that every member who is employed contribute to the treasury of his local one day's pay each month for a period of one year. By doing this organized labour will be placing in its arsenal some of the ammunition that is necessary to cope with capital on the field of battle.

At page 10:

Conservatism in a labour organization is rapidly becoming a synonym for cowardice.

At page 19:

Discontent is an indication of intelligence.

At page 35 the following editorial paragraph:

Dick Adams, who won corporation gratitude for his distinguished services as a hired thug during the Cœur D'Alene trouble of 1892 and 1899, was killed a few weeks ago in the Bunker Hill mill. According to the account in the Idaho State Tribune 'he was caught by a set screw in the line shaft and wound up and instantly killed. His neck was broken, his head nearly severed from the body, his arms and legs broken and the body badly crushed. Throughout the mining states and territories of the west there are many miners who know and have heard of this cold-blooded hireling, and some who have felt the sting of his sneers and jeers, and it is safe to say that among the miners few tears will be shed over the tidings that he met an untimely end. When he ceased to be useful in carrying out the cruel mandates issued by Standard Oil brutality, he was given a job like any other wage slave, and in the performance of his duties in the mill he met his death. His remains have been shipped to Oregon for interment, and it may be that Rockefeller and the other mining magnates of Idaho will pass the hat around for a collection to place a slab at his grave that will bear the following inscription: 'Here lies our servile tool.'

In the May number, in commenting on the appointment by the Governor of Colorado of a commission to inquire into and report on the labour troubles, President Moyer and Secretary Haywood of the Western Federation of Miners say, over their own signatures at page 4:

An arbitration commission that was appointed last October by President Roosevelt have just brought in their verdict, which is an insult to the honour and dignity of organized labour.

At page 27, commenting on the Anthracite Commission's report, the editor says:

The courts are recognized to-day by organized labour as partial to capital. Nearly every labour law that passes a legislative body is de-

clared unconstitutional. What justice can be expected from tribunals which, upon the slightest pretext, grant injunctions to corporations which shackle the power of organized labour in its struggle for justice.

At page 36 the editor says:

The minister of the gospel who is not in sympathy with organized labour should be placed on the 'scab' list.

At page 49 a contributor says:

Don't you know that the next strike must be won by a national or international strike to show capitalism and ourselves how omnipotent unified, consolidated labour is? Stop every wheel in America; silence every telegraph; stop every train; hold every ship at anchor; close every market; silence every press for ten days! Europe will follow our example, and it will be the last strike of labour. The next strike will occur at the ballot box, and the war will be over forever.

There is not food enough to feed the world longer than ten days without our work in production and distribution; not jails enough to hold us; not soldiers enough to guard us; not police enough to arrest us, and not judges enough to 'enjoin' us! The universal ten days' strike is the means to the end!

These examples have been taken at random out of the only numbers of this publication that have been handed in to the Commission, but they are enough, we think, to show its character.

The Incorporation of Unions.

We think, then, that legitimate trade unionism ought to be encouraged and protected, and that organizations of the class just dealt with ought to be prohibited and declared illegal, and that there ought to be strict enforcement of the law relating to the administration of voluntary oaths. We would, therefore, suggest that provision be made for the incorporation of trade unions with a model constitution; that among other things it should be provided that no strike should be declared without at least 30 days' notice to the employer except in cases where the employer is attempting to change the conditions of employment to the disadvantage of the employer without giving similar notice; that there should be at least a two-thirds majority of those present in its favour at a meeting called specially to consider the question; that the matter should be decided by ballot; that no strike be declared which shall be in violation of any contract not already violated by the employer; that all strikes,

lockouts and disagreements with the employer shall be settled without the interference of any person residing outside of the Dominion unless by mutual consent.

To protect the union it ought to be made an offence for the employer to discriminate against, or discharge any member of an incorporated union for the reason only that he is, or intends to become a member of such union; and, generally on this subject, it would appear to be just to enact that no person should be refused employment or in any way discriminated against on account of membership or non-membership in any labour organization, except such as may be declared illegal by competent authority; and on the other hand, that there should be no discrimination against or interference with an employee who is not a member of any legal organization by members of such organization. We think that the incorporation of such unions with adequate protection, would meet with the approval of the majority of the intelligent and reasonable leaders in labour circles. It has been urged as an objection that they would be merely targets for law suits, and that their benefit funds would be liable to be seized to make good any judgments against them. As to this, it could be provided that purely benefit funds should be vested in trustees nominated for that purpose, and they should not be liable to answer any judgments, other than such as may be rendered in litigation relating to such funds; and if this were done we cannot see how any valid objection can be taken to the proposition that a union should be liable for any violation of contract or any legal wrong it may commit equally with any other organization. In fact it is a mistake to suppose that an unincorporated body can not be sued for wrongs done by the action of the body as a whole. Lord Lindlay says, in the *Taff Vale Case*, (1902, Appeal Cases, at page 443):

I have myself no doubt whatever that if the trade union could not be sued in this case in its registered name, some of its members (namely, its executive committee) could be sued on behalf of themselves and the other members of the society, and an injunction and judgment for damages could be obtained in a proper case in an action so framed. Further, it is, in my opinion, equally plain that if the trustees in whom

the property of the society is legally vested were added as parties, an order could be made in the same action, for the payment by them out of the funds of the society of all damages and costs for which the plaintiff might obtain judgment against the trade union.

On the other hand, an employer would be very much more willing to deal with an incorporated union than with an unincorporated body, as he would be dealing with a body that had a legal status, and generally some corporeal substance, and not with a shadow; and those workmen who desire recognition of their unions would have much more reason to expect it if their unions were incorporated than if they were not.

It is also objected that the unions might be subject to repeated litigation, and exhausted by a series of appeals by wealthy employers. As to this it could be provided that if the union were successful in the first instance there should be no appeal except by leave of the judge appealed from, or of the Court of Appeal, and that either could, in any case in which it might appear to be just, require the appellant to pay all costs in any event as a condition of the leave to appeal, for which course there is ample precedent in the practice of the Judicial Committee of the Privy Council.

There would, of course, be nothing to prevent members of the incorporated unions from retaining their international membership if they chose to do so.

The Union Label and the 'Unfair' and 'Scab' List.

Further, we see no reason why incorporated unions should not be given the right to use the union label on the products of their manufacture. And here is an illustration of the difference between methods which are right in principle and those which are wrong in principle. There is no reason why a union should not be allowed to advertise its products by means of the label, and in this way bespeak the patronage of the public. On the other hand, the publication of the 'unfair' and 'scab' list is wrong in principle. Why should any person or union be allowed to publish or placard any other person or body of men as 'unfair' or as 'scabs'? Such action tends

manifestly to a breach of the peace and argues a contemptuous indifference to, and a high-handed attack upon the rights of others. There is no reason why the unions cannot confine themselves to the publication of 'fair' instead of 'unfair' or 'scab' lists—a 'white' list, and not a 'black' list.

A case was brought to our attention of a contractor who employed union men and paid the union scale, and of the owners for whom he was building, who were posted up by the Trades and Labour Council of Vancouver as 'unfair,' and placarded as such on different streets in the city. It was also stated in the placard that a number of labour organizations endorsed the action of the Trades and Labour Council, but we have every reason to believe that this statement was made without the authority of several of the organizations mentioned. The placard in question is Exhibit 72a to this report. Exhibit 76, a calendar advertising the Gurney Foundry Company, of Toronto, in large type as 'unfair' was also brought to our attention. Other examples of the mode in which the 'unfair' and 'scab' list are used will be found in Exhibits 72 (b), 75, 76, 77. If the posting up of others as 'unfair' or as 'scabs' is not prohibited then, as the appetite grows by what it feeds on, other wrongs, such as boycotting and intimidation will occur with increasing frequency and boldness until the employers will be driven into combination for the purpose of retaliating in kind, and it will not be long before society gets into the explosive condition which precedes riot and civil war. We think, therefore, that the use of the union label should be recognized by law, and that it should be allowed to incorporated bodies, but that it should be made a specific offence to use or publish the epithets 'scab' or 'unfair' in connection with the name of any person or organization.

The Boycott, Intimidation and Picketing.

We have already alluded to the boycott, intimidation and picketing. The two former are condemned by the best type of labour leaders, and indeed by all right thinking people. We may note, in addition to in-

stances already cited, a case that was especially brought to our attention. A widow who was keeping a boarding house (it being her only means of living) was waited on by three union boarders, who informed her that unless she turned away some six or eight non-union boarders they would withdraw, and on her refusal they did withdraw. The men who did this were no friends of unionism, for, as Junius would say, the man who is truly loyal to unionism will neither advise nor submit to arbitrary measures. Yet not only was this action lauded and defended by some exponents of unionism, but it was further explained to us that a 'scab' is a murderer. To such as are imbued with this spirit, which savours rather of the bigotry of the middle ages than of enlightened unionism, we would commend the words of Coriolanus:

What's the matter, you dissentious rogues,
That, rubbing the poor itch of your opinion,
Make yourselves scabs?

With regard to picketing, some evidence was given to show that this was done in the case of the railway strike, accompanied by acts of intimidation, and there is no doubt that a number of assaults on both strikers and 'scabs' took place, resulting in one case in the death of a striker, which are directly attributable to the existence of the strike. All of which demonstrates, if it needed demonstration, that a strike is a very serious disturbance of the social peace and prosperity, and is to be prevented by all means possible.

Preventive Measures by Parties.

With regard to preventive measures by the parties themselves, obviously the simplest and best way is for the contending parties to settle their differences by compromise and mutual concession, either with or without the mediation of others, both keeping in mind the fact that there may be good reason for the other's stand, and that they both owe a duty to the community which protects and sustains them, not to inflict any more damage and inconvenience upon it than is absolutely necessary. It is also too often forgotten by employees that

they have families to support, and that they have no right to plunge the community into a state of strife which a strike invariably causes unless they are forced to do so by the most compelling necessity ; and by employers, especially those who are in control of exclusive franchises and natural monopolies, that they do not own their franchise or property in any absolute sense, but that they enjoy their beneficial control by the sanction and approval of the society in which they live, and that they are therefore under a special obligation to society to see to it that their management does not, by arbitrary and unreasonable conduct, become a public nuisance.

Preventive Measures by the State.

As to the best method of minimizing the danger of strikes and lock-outs by legislation, we think the most effective means will be found in compelling publicity at the earliest stage of the trouble.



Greater Publicity.

No strike or lock-out should be allowed except upon giving at least 30 days' notice, (some of the unions prescribe 3 months), where the other party is not attempting to change the terms or conditions of the employment, and the intending strikers or employers should be compelled to file a sworn statement, fully and accurately setting forth the reasons for the intended strike or lock-out in the office of the Registrar of the Supreme Court of the province, and of the Minister of Labour at Ottawa, at least 3 weeks before the day fixed for the strike or lock-out. The statement should also be served upon the opposite party, who should be required to file a sworn answer thereto within 10 days of its receipt. On the other hand, where the other party attempts to change the terms and conditions of the employment, provision could be made requiring statements to be filed either before or after the strike or lock-out takes place, according to the nature of the case. In this way the press and the public will at once become authoritatively informed by both sides of their position at the outset of

the trouble, and public opinion will at once begin to act upon the parties, and no doubt in many cases, before the day fixed for the strike or lock-out arrives, better counsels will prevail. It would also afford an opportunity for settlement by means of conciliation or arbitration before the parties came to arm's length. If a law to this effect had been in force there would have been no strike on the part of the longshoremen or teamsters or the steamshipmen's association, as the only excuse they could have given for their actions was that they were being brought in contact with so-called 'scab' freight, or, at any rate, if they did venture to put such a ground for a strike before the public they would have soon found that they had taken up an untenable position. Similarly if an employer were to order a lock-out solely on the ground that the men had joined a union not prohibited by law, we think public opinion would soon make it unmistakably appear that such a lock-out would not be justifiable.

Boards of Conciliation.

There is no doubt that the establishment of boards of conciliation will go far in the direction of avoiding strikes and lock-outs. The weight of opinion in Great Britain and in the United States, both among employers and employed, seems to be that conciliation ought to be the method invariably resorted to in the settlement of industrial disputes, and that a general scheme of compulsory arbitration would be productive of more harm than good, the chief grounds of objection being that it is a very serious interference with the freedom of contract, that it is generally a compromise which is not satisfactory to either party, being arrived at in the last result by an umpire who may not fully appreciate the position of one or other of the parties, and that it is seldom loyally accepted and lived up to by both parties.

We would strongly recommend both employers and employed to encourage and practice the spirit of conciliation, and we think it would be a good plan, in the case of the larger industries, if both would re-

cognize the possibilities of disputes, and make it a rule periodically to appoint some person or persons on each side to form a permanent conciliation committee to consider any differences that cannot otherwise be settled to the satisfaction of both parties. These persons could, in the event of failure to agree, if both employer and workmen assented, be converted into a board of arbitration by the appointment of an umpire; or a board of arbitration could be constituted of other persons altogether, and the conciliators on each side could present the case to the arbitrators.

Compulsory Investigation.

Compulsory investigation may also sometimes be employed with advantage. We have no doubt that the present investigation was a large factor in hurrying the railway strike to an end, and we believe that a method providing an expeditious mode of compulsory investigation by persons to be nominated by the parties and an umpire would satisfactorily dispose of a good many labour disputes.

Compulsory Arbitration.

The weight of opinion as expressed before the Commission was against compulsory arbitration, and while we do not think that a law applying this method of settling disputes to industries generally would meet with general approval, there are special cases in which it would seem to be the necessary final resort.

It does not need any argument to show that public service undertakings, such as railways, telegraphs, telephones, steamships, the supplying of power, water and light, and particular industries, such as coal mining, must be carried on without interruption if the whole industrial business of the community is not to be seriously damaged or ruined.

No gain that can possibly accrue to either of the parties in this class of case by means of a strike or lock-out can possibly be commensurate with the loss inflicted upon the general public, which may easily cause, in some instances, the total extinc-

tion of a particular industry, or its transfer to another district or country. We therefore think that, notwithstanding the objections that can be raised to compulsory arbitration, this mode of settling disputes ought to be resorted to in this class of case whenever the strike or lock-out has reached such dimensions as to seriously affect the public, and when all other means have been exhausted or would appear to be of no avail.

We would, therefore, suggest that the Governor in Council be armed with authority in the cases mentioned to notify the parties by proclamation that unless the dispute is settled by a day to be fixed, it will be referred to the court which shall have power to summarily investigate and try the same, and give a decision and award which shall be binding for a period not to exceed one year. This jurisdiction should not be open to be invoked by either party, and should only be exercised by the Governor in Council whenever it shall appear that the strike or lock-out has reached, or is likely to reach such dimensions, or has lasted, or is likely to last so long as to seriously affect the general welfare of the public; in short, the only ground on which the jurisdiction should be exercised is that of public necessity. Had the recent coal strikes in Kootenay lasted another two weeks there is no doubt that 75 per cent of the mining and smelting industries of the province would have had to close down and several thousand men would have been thrown out of employment. Such a crisis would be impossible under the proposed law.

When the trouble exists in more than one province, the court referred to should be the Exchequer Court of Canada, as its jurisdiction and process is binding over the whole of Canada, but all judges of the highest Provincial Courts of First Instance should be made *ex officio* judges of the Exchequer Court for this purpose. The reference should be made to the court, and not to any particular judge, and on receipt of the order of reference the Registrar of the Supreme Court or other highest Court of First Instance in the province should determine the

judge by lot, and in this way the parties would not be able to speculate on the personality of the judge who would try the dispute. We think that such an enactment would have a legitimate coercive influence on the parties, and that the proclamation would generally be productive of a settlement without the necessity for a reference. From and after the day fixed, the continuance of the strike or lock-out should be made unlawful.

Labour Leaders.

The testimony shows that it is of the utmost consequence to the workmen themselves that they exercise extreme caution in their decision to join any given organization. There can be no doubt that the designs and aims of the organizations, which we have suggested should be declared illegal, were to a large extent concealed from the men by their leaders. Workmen ought not, in their own interests, to leave themselves open to the charge that they are, as some employers claim 'slaves of the union,' and yet the evidence shows that it would not be a wholly incorrect description of the position of those who were engaged in the strikes in question. If workmen are not careful in the selection of their leaders, if they do not choose straightforward and fair-minded men as the officers of their organizations, the case for recognition is hopeless. Looking at the evasive and equivocating way in which the testimony of some of the leaders was given, and at the extraordinary trouble that was taken by them to keep their followers in the dark as to their real designs, it would be a miracle if any organization led by such men could ever maintain peaceful relations with any employer, no matter how friendly he was disposed to be, or how far he might go in his concessions. If the experience of the business world should unhappily demonstrate that unionism is symbolical of tyranny and treachery, the position of the workmen will become hard indeed, unless some other institution is devised which will better maintain the equilibrium which

ought to exist between them and their employers. A special obligation is therefore placed upon the upholders and leaders of unionism to see to it that it is not overwhelmed with that just scorn and opprobrium which is certain to happen unless it is animated by the dictates of justice and reason. No institution which habitually violates the fundamental rules of right and wrong can last long in any civilized society.

That the workmen should be careful in the selection of their leaders is also shown by the fact that in at least two or three instances their purchasability was proved beyond doubt. The man who was the chief organizer for Canada of the United Brotherhood of Railway Employees is shown to have betrayed the secrets of the union to the employers for hire, at the very time that he was being paid by the union for bringing in new members, and while he was administering the oath which binds to secrecy. The evidence is also clear that paid hirelings of the railway company worked their way into the union, took a leading part in its deliberations, initiated new members, and duly reported all that took place to their master.

It is obvious from these facts that it is not beyond the bounds of possibility that the legitimate desire of a body of workingmen to establish a proper union may be used as a means to forward illegal and unworthy ends by plausible leaders who are in the pay of foreign capitalists, and that a union may be persuaded into a strike by unprincipled men for no other purpose than to cripple or destroy a Canadian industry for the benefit of its rivals. It was further shown that the United Brotherhood pursued just as reprehensible tactics as the company, inasmuch as private telegrams between officials of the company were disclosed to the union, arrangements made with an employee of a foreign telegraph company to reveal information, copies of confidential documents abstracted, waste paper baskets ransacked, and the house of the local superintendent watched, and all with the express approval and encouragement of the president of the Brotherhood.

Interference of Foreign Officials.

As will be seen by the evidence already detailed, the question of how far there should be legislation directed against foreign interference with Canadian workmen comes up squarely for consideration. The evidence presents two classes of interference: one, that of procuring and inciting to quit work by the foreign agitator in person; and the other, the case of officials of international or other organizations who remain in the foreign country, but who procure and incite by means of other officials within Canada, and who assume the control and direction of Canadian workmen until the termination of the dispute.

As has already been said, it should not be tolerated that Canadian industries should be subject to the dictation of foreigners who know no law, so far as such industries are concerned, but their own desires, and whose business and avowed object it is to keep up unceasing friction between the employer and employed, and who are not trade unionists, but socialistic agitators of the most bigoted and ignorant type. We therefore think that it is necessary for Parliament to interfere in the direction of making it an offence, punishable, in minor cases, on summary conviction before a county judge or police or stipendiary magistrate, by fine or imprisonment, and in graver cases, on conviction by indictment, by imprisonment only, for any person not a British subject, and who has not been residing in the province for at least one year, to procure or incite any employee or employees in Canada to quit the employment without the consent of the employer; or for any person within Canada to exhibit or publish, or in any way communicate to any employee or employees the contents of any order, request, suggestion or recommendation, (or any document purporting to be a copy thereof), by any person or persons ordinarily resident without Canada, that he or they quit the employment as aforesaid, whether such order, request, suggestion or recommendation, or copy thereof is signed, or purports to be signed by such person or

persons on his or their own behalf, or on behalf of any other person, or of any association of persons, whether incorporated or not.

The testimony before us showed practical unanimity on the part of the intelligent and strong minded members of the labouring classes that foreign agitators and their methods were not wanted, in fact, as one of them put it, they regarded it as an insult that such proposals should be made to them by any outsiders.

Violation of Contracts.

The testimony shows that it is necessary to penalize the wanton violation of contracts as well as the sympathetic strike. The older unions for the most part show a commendable appreciation of their obligations in this regard, but some of the recently organized bodies have shown little or no such appreciation, which is probably due to the fact that while they felt a new sense of power their was no sense of responsibility. We would, therefore, suggest that the courts be clothed with power to disincorporate any incorporated union and to declare illegal any unincorporated organization which is shown to have violated any contract without colour of right, or to have gone out on sympathetic strike. This, of course, would not authorize the court to give such a judgment where any reasonable justification is given in defence of the conduct impugned.

Blacklisting.

It was alleged by counsel for the United Brotherhood that the Canadian Pacific Company was privy to a blacklisting scheme, in common with other railway companies in North America, and some evidence was given to show that certificates of service, called 'clearances', did not always fairly state the cause of dismissal. Time did not admit of full investigation into this matter, and the charge respecting blacklisting to other railway companies of the names of employees who had been engaged in a strike, was vigorously repudiated by the officers of the company.

Some evidence was also given to show that employers were beginning to move in the direction of combining to boycott and blacklist men participating in strikes, and one witness swore that before he could obtain lumber from a saw-mill he had to satisfy the Builders' Exchange that certain strikers would not be employed on the building. Neither could this matter be fully investigated, but assuming that employers are combining in this way, it is the natural counter move to the 'unfair' list, the boycott and the sympathetic strike, and equally reprehensible and wrong, and ought equally with them to be declared unlawful. Employers should also be required, if asked, to fully and accurately state the cause of dismissal in the 'clearance', and not leave it open to be inferred that the employee was guilty of some misconduct which would debar him from securing other employment when the real cause was such as to leave it at least open to question as to whether or not the dismissal was wrongful.

Hours of Labour.

During the sittings of the Commission a strike took place among the operators in the saw-mills and planing mills in Vancouver and New Westminster, which we were asked by them to investigate, but we were unable to do so. The demand was for a shortening of hours from 10 hours to 9, with Saturday afternoons off and without reduction of pay, and a memorandum was handed in to show that the product is sold on the average at about three times its cost. As the employers have not filed any statement, we cannot pretend to pass on the merits of this dispute, but we think that much good would result by legislation moving in the direction of the shortening of hours. In these days, when the human energies are strained

to their utmost amid whirling dust and machinery, long hours are a crime against nature. The machine should be the servant of man, and not man the slave of the machine. One of the most legitimate modes in which a legislature can aid in improving the condition of the workmen is by the shortening of hours. Of course this ought to be done gradually, and after carefully taking into account the conditions of the particular industry in other countries so as not to transfer it elsewhere, or drive it out of our own country. If it could be brought to pass that the workman would have to work only long enough so as to make his work a pleasurable exercise, instead of an exhausting toil, and at the same time secure a comfortable living, society will have advanced a long way towards the millenium.

These then are the opinions and conclusions which we have formed after the perusal of some two thousand pages of evidence and a large mass of documents and correspondence; and while the inquiry might have taken a wider scope and been more searching and thorough than the time allotted us permitted, yet we do not think it likely, that we should have reached any different conclusions on the points of importance. At the same time we feel quite free to admit that, while much good can be accomplished by wise legislation, the labour problem, so-called, is incapable of final solution, and that it will be with us as long as human nature remains what it is, and present civilization endures.

Dated at Victoria,

this eighth day of July, 1903.

(Sd.) GORDON HUNTER,

ELLIOTT S. ROWE.

Commissioners.

Government
Publications